

Message

**From:** Davies, Lynne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=169EB6CBDEBB4CAF85F76390B8AB2674-LDAVIE12]  
**Sent:** 4/26/2017 10:43:57 PM  
**To:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]  
**Subject:** RE: Need a date for ODEQ for ChemWaste technical discussion

Thanks, Janette! I just wanted to add that the call with Rich was helpful and that the standalone document he provided us for the ORU-2 (the permit mod document) was drafted by CWM. **Attorney Client / Deliberative Process / Ex. 5**

## Attorney Client / Deliberative Process / Ex. 5

Best,  
Lynne

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**From:** Knittel, Janette  
**Sent:** Wednesday, April 26, 2017 1:48 PM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Subject:** RE: Need a date for ODEQ for ChemWaste technical discussion

Hi Lisa. Our next step is a call with HQ is May 9 which is the soonest we could do with leave schedules and to give Mike Galbraith time to look at the materials. We don't have anything scheduled yet with DEQ because we don't have answers for them yet. When we talked with Rich yesterday he seemed to understand and be OK with that.

By the way, our call with Rich went really well. Based on how the conversation was flowing, and guessing that he already

## Attorney Client / Deliberative Process / Ex. 5

-Janette

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**From:** Davies, Lynne  
**Sent:** Thursday, April 20, 2017 8:47 AM  
**To:** McArthur, Lisa <McArthur.Lisa@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** RE: Need a date for ODEQ for ChemWaste technical discussion

Thanks, Lisa. Maybe May 1 could work? We're trying to schedule a technical HQ/RCRA call on the **Attorney Client / Deliberative Process / Ex. 5**  
If we have separate calls (on the exemption) rather than a discussion on the PIT call for later this month, we might be able to meet that deadline. We'll see where we are after today's call.

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**From:** McArthur, Lisa  
**Sent:** Wednesday, April 19, 2017 4:18 PM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** Need a date for ODEQ for ChemWaste technical discussion

Lissa and I talked, and she wants to set a date for getting the technical staff together. Please let me know how soon we can do that. Clearly we can't make May 1 **Personal Privacy / Ex. 6** but Lissa thinks she might have him back as a contractor the week of May 8, and has requested the meeting that week. But let me know what we can do, and I'll get back to her.

Lisa

Lisa McArthur  
RCRA Corrective Action, Permits and PCB Manager  
Office of Air and Waste  
EPA Region 10  
(206) 553-1814  
[mcarthur.lisa@epa.gov](mailto:mcarthur.lisa@epa.gov)

Message

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**From:** Davies, Lynne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=169EB6CBDEBB4CAF85F76390B8AB2674-LDAVIE12]  
**Sent:** 1/24/2018 9:39:58 PM  
**To:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**Subject:** RE: ORU mod for ChemWaste

Wow, that's great news! **Personal Privacy / Ex. 6**

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**From:** Knittel, Janette  
**Sent:** Wednesday, January 24, 2018 1:36 PM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>  
**Subject:** FW: ORU mod for ChemWaste

Heather and Lynne,  
FYI. Giving you a heads up that the ORU mod should be here soon for EPA review. I'm guessing within a couple of weeks – we don't know how long it will take Gina to send it to EPA once she gets it from Rich.  
-Janette

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**From:** McArthur, Lisa  
**Sent:** Wednesday, January 24, 2018 1:31 PM  
**To:** Lissa Druback ([Ramos.Gina@deq.state.or.us](mailto:Ramos.Gina@deq.state.or.us)) <[Ramos.Gina@deq.state.or.us](mailto:Ramos.Gina@deq.state.or.us)>  
**Cc:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Olson, Margaret <[Olson.Margaret@epa.gov](mailto:Olson.Margaret@epa.gov)>  
**Subject:** ORU mod for ChemWaste

Gina, hi!

I wanted to check in with you, Janette was talking to Rich Duvall today **Personal Privacy / Ex. 6** about the ChemWaste permit, and he mentioned that he might have the draft ORU permit mod to you by tomorrow. My staff are interested in reviewing that, and they will probably need 2-3 weeks with it. What both want to avoid is for EPA to comment during the public comment period, because then our comments take on a particular legal status under 271.19. We will do our best to be timely with the turnaround, just wanted to raise this to your attention, as you are working out your scheduling.

Call anytime with questions or concerns,

Lisa

Lisa McArthur  
Manager  
RCRA Corrective Action, Permits and PCBs Unit  
EPA Region 10  
(206) 553-1814  
[mcarthur.lisa@epa.gov](mailto:mcarthur.lisa@epa.gov)

Message

**From:** Knittel, Janette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A955F914E8D34CB19B6F63AC60707D32-KNITTEL, JANETTE]  
**Sent:** 3/23/2018 7:02:57 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**Subject:** RE: putting together ORU-2 mod comments  
**Attachments:** CWM ORU2 M118 JK.docx

OK, turns out that I really don't have a lot to add once I took out duplicates with Heather's comments. See attached. And a couple of questions for you two on SA23:

## Attorney Client / Deliberative Process / Ex. 5

I'll schedule something for us later today.  
-Janette

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**From:** Davies, Lynne  
**Sent:** Friday, March 23, 2018 11:30 AM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>  
**Subject:** RE: putting together ORU-2 mod comments

Totally agree.

Yes, I'm available all day until 4:15.

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**From:** Knittel, Janette  
**Sent:** Friday, March 23, 2018 11:29 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>  
**Subject:** RE: putting together ORU-2 mod comments

Hi. Thank you Heather.  
Lynne, my comments are more specific (like incorrect references), and not much overlap with Heather's, so if you want to get started please do. I like Heather's table format, so I can put mine in a table too.

## Attorney Client / Deliberative Process / Ex. 5

When I send the comments to ODEQ I will suggest we have a call with them. Not only will it be helpful for both sides but it would be a good time to get to know Dan and Gina a little bit more.

I think it would be a good idea for the three of us to check in today after we work on this a bit more. Lynne, what do you think? I'm available anytime, and Heather said she is too.

J



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**From:** Davies, Lynne  
**Sent:** Friday, March 23, 2018 11:15 AM  
**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Subject:** RE: putting together ORU-2 mod comments

## Attorney Client / Deliberative Process / Ex. 5

Shall I wait to comment on Heather's document until it is included in your document, Janette?

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**From:** Valdez, Heather  
**Sent:** Friday, March 23, 2018 11:02 AM  
**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Subject:** RE: putting together ORU-2 mod comments

## Attorney Client / Deliberative Process / Ex. 5

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Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Davies, Lynne  
**Sent:** Thursday, March 22, 2018 12:53 PM  
**To:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>  
**Subject:** RE: putting together ORU-2 mod comments

Yes, that works for me.

---

**From:** Knittel, Janette

**Sent:** Thursday, March 22, 2018 12:53 PM

**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>

**Subject:** putting together ORU-2 mod comments

Hi Heather and Lynne,

I started to put together my comments but I have meetings now so I'm out of time today. I'll be able to work on it tomorrow. I'd really like if we could pull this together tomorrow. Do you think that's possible, like if I could get something from Heather in the morning and Lynne could review in the afternoon?

-J

Janette Knittel

U.S. EPA Region 10

Office of Air and Waste

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1200 6th Ave, Suite 900, OAW-150

Seattle, WA 98101

206-553-0483

[knittel.janette@epa.gov](mailto:knittel.janette@epa.gov)

Message

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**From:** Knittel, Janette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A955F914E8D34CB19B6F63AC60707D32-KNITTEL, JANETTE]  
**Sent:** 3/23/2018 6:28:47 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**Subject:** RE: putting together ORU-2 mod comments

Hi. Thank you Heather.

Lynne, my comments are more specific (like incorrect references), and not much overlap with Heather's, so if you want to get started please do. I like Heather's table format, so I can put mine in a table too.

## Attorney Client / Deliberative Process / Ex. 5

When I send the comments to ODEQ I will suggest we have a call with them. Not only will it be helpful for both sides but it would be a good time to get to know Dan and Gina a little bit more.

I think it would be a good idea for the three of us to check in today after we work on this a bit more. Lynne, what do you think? I'm available anytime, and Heather said she is too.

J

---

**From:** Davies, Lynne  
**Sent:** Friday, March 23, 2018 11:15 AM  
**To:** Valdez, Heather <Valdez.Heather@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** RE: putting together ORU-2 mod comments

## Attorney Client / Deliberative Process / Ex. 5

Shall I wait to comment on Heather's document until it is included in your document, Janette?

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**From:** Valdez, Heather  
**Sent:** Friday, March 23, 2018 11:02 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** RE: putting together ORU-2 mod comments

## Attorney Client / Deliberative Process / Ex. 5

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Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
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1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
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[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



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**Subject:** RE: putting together ORU-2 mod comments

Yes, that works for me.

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**From:** Knittel, Janette  
**Sent:** Thursday, March 22, 2018 12:53 PM  
**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>  
**Subject:** putting together ORU-2 mod comments

Hi Heather and Lynne,  
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Janette Knittel  
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Seattle, WA 98101  
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[knittel.janette@epa.gov](mailto:knittel.janette@epa.gov)

Message

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**From:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**Sent:** 3/23/2018 6:01:53 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Subject:** RE: putting together ORU-2 mod comments  
**Attachments:** hvaldez Comments on Appendix D SA22 and Appendix B SA3 3-23-18.docx

## Attorney Client / Deliberative Process / Ex. 5

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Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



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**Sent:** Thursday, March 22, 2018 12:53 PM  
**To:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>  
**Subject:** RE: putting together ORU-2 mod comments

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**Sent:** Thursday, March 22, 2018 12:53 PM  
**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>  
**Subject:** putting together ORU-2 mod comments

Hi Heather and Lynne,

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**Sent:** 3/24/2018 1:32:22 AM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**Subject:** RE: putting together ORU-2 mod comments  
**Attachments:** EPA comments CWM ORU2 M118 v1.docx

Hi. Here are the expanded comments/questions based on our conversation earlier. I'll send a meeting invite for us to chat on Monday. Please review these before then.

-J

---

**From:** Davies, Lynne  
**Sent:** Friday, March 23, 2018 1:49 PM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>  
**Subject:** RE: putting together ORU-2 mod comments

Here are my comments on Heather's comments.

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**From:** Knittel, Janette  
**Sent:** Friday, March 23, 2018 12:03 PM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>  
**Subject:** RE: putting together ORU-2 mod comments

OK, turns out that I really don't have a lot to add once I took out duplicates with Heather's comments. See attached. And a couple of questions for you two on SA23:

## Attorney Client / Deliberative Process / Ex. 5

I'll schedule something for us later today.  
-Janette

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**From:** Davies, Lynne  
**Sent:** Friday, March 23, 2018 11:30 AM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>  
**Subject:** RE: putting together ORU-2 mod comments

Totally agree.

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## Attorney Client / Deliberative Process / Ex. 5

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**To:** Valdez, Heather <Valdez.Heather@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>

**Subject:** RE: putting together ORU-2 mod comments

## Attorney Client / Deliberative Process / Ex. 5

Shall I wait to comment on Heather's document until it is included in your document, Janette?

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**From:** Valdez, Heather

**Sent:** Friday, March 23, 2018 11:02 AM

**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>

**Subject:** RE: putting together ORU-2 mod comments

## Attorney Client / Deliberative Process / Ex. 5

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Heather Valdez

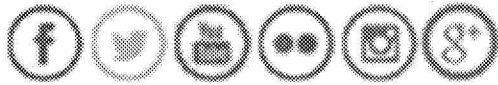
RCRA Project Manager, Chemical Engineer

RCRA Corrective Actions, Permits and PCBs Unit

Office of Air and Waste



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1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
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[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



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**Sent:** Thursday, March 22, 2018 12:53 PM  
**To:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>  
**Subject:** RE: putting together ORU-2 mod comments

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**From:** Knittel, Janette  
**Sent:** Thursday, March 22, 2018 12:53 PM  
**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>  
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Hi Heather and Lynne,  
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Janette Knittel  
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**Sent:** 5/19/2017 6:50:44 PM  
**To:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Subject:** RE: Question re: Sharepoint Access to ChemWaste Permit

Not at all, let me schedule it now.

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**From:** Knittel, Janette  
**Sent:** Friday, May 19, 2017 11:35 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** RE: Question re: Sharepoint Access to ChemWaste Permit

Sure, that sounds good, if you don't mind doing that. Thanks.

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**From:** Davies, Lynne  
**Sent:** Friday, May 19, 2017 11:33 AM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** RE: Question re: Sharepoint Access to ChemWaste Permit

Yes, right – we do still need his opinion. Would you like me to schedule a call with him and just you next Monday or Tuesday? We can have a 15 minute check in? **Attorney Client / Deliberative Process / Ex. 5** question. And then give him a deadline if there are outstanding questions.

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**From:** Knittel, Janette  
**Sent:** Friday, May 19, 2017 9:02 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** RE: Question re: Sharepoint Access to ChemWaste Permit

## Attorney Client / Deliberative Process / Ex. 5

Janette

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**From:** Davies, Lynne  
**Sent:** Friday, May 19, 2017 8:50 AM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** RE: Question re: Sharepoint Access to ChemWaste Permit

Great idea – yes, you can share the link with Rich. We can also go ahead and send the RCRA Online notice link, although I think he has that already.

We are still expecting to hear from him. However, do you have a list of the documents we are planning on sending Rich (from your folders)? A list may help Mike provide a faster answer.

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**From:** Knittel, Janette  
**Sent:** Friday, May 19, 2017 8:12 AM  
**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>  
**Subject:** RE: Question re: Sharepoint Access to ChemWaste Permit

Actually, I just realized (thanks to the coffee...) that I probably can email the link for the one document to Rich. I'll do that today. Then we probably could email the other documents in several emails once we hear from Mike.

Speaking of hearing from Mike, we are still expecting to hear his opinion, right? We should check with him early next week.

Janette

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**From:** Knittel, Janette  
**Sent:** Thursday, May 18, 2017 2:39 PM  
**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>  
**Subject:** RE: Question re: Sharepoint Access to ChemWaste Permit

OK, it's the same document but broken down into 7 separate files. Still not OCR, and still too big to email, so we need to burn to CD anyway. I guess we'll just have to wait until Mike gets back to us.

---

**From:** Davies, Lynne  
**Sent:** Thursday, May 18, 2017 2:31 PM  
**To:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Subject:** RE: Question re: Sharepoint Access to ChemWaste Permit

Mine is "waiting"....

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**From:** Knittel, Janette  
**Sent:** Thursday, May 18, 2017 2:27 PM  
**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>  
**Subject:** RE: Question re: Sharepoint Access to ChemWaste Permit

I think I got it, it took a reaaaalllllyyy long time to download. Stay tuned.

---

**From:** Davies, Lynne  
**Sent:** Thursday, May 18, 2017 2:24 PM  
**To:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Subject:** RE: Question re: Sharepoint Access to ChemWaste Permit

I'll try now, thanks for finding it!

---

**From:** Knittel, Janette  
**Sent:** Thursday, May 18, 2017 2:14 PM  
**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>  
**Subject:** RE: Question re: Sharepoint Access to ChemWaste Permit

OK, I think I figured out that it's document #10557499, AI # 742, but I can't get it to download. Can you try since you have a different version of windows? It's 305 pages, and it may be the same exact thing as the pdf we already have, but if it is then at least we know it's public.

---

**From:** Knittel, Janette  
**Sent:** Thursday, May 18, 2017 11:55 AM  
**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>  
**Subject:** RE: Question re: Sharepoint Access to ChemWaste Permit

I think we need to re-query to get to the permit. I'll try later when (if) I get some time. I'm wondering if what they have on their site is more use-friendly than the version we have now.

---

**From:** Davies, Lynne  
**Sent:** Thursday, May 18, 2017 11:50 AM  
**To:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Subject:** FW: Question re: Sharepoint Access to ChemWaste Permit

We can forward the link to Rich now, if he wants to review it. It's a wonky database and nothing is in date order, so maybe we just wait until we receive verification from Mike on R6's review. It's much easier to review the document from a file on a CD, I think...

---

**From:** Galbraith, Michael  
**Sent:** Thursday, May 18, 2017 6:59 AM  
**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>  
**Cc:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Subject:** RE: Question re: Sharepoint Access to ChemWaste Permit

I asked r6 to verify that none of the cwm files they shared contained cbi. In the meantime, I was able to find the cwm permit class 3 mod request on LDEQs web/database. It's a big document, and can be downloaded/viewed at <http://edms.deq.louisiana.gov/app/doc/queryresults.aspx>

more to come...hopefully

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

(703) 605-0567

---

**From:** Davies, Lynne  
**Sent:** Tuesday, May 16, 2017 12:14 PM  
**To:** Galbraith, Michael <[Galbraith.Michael@epa.gov](mailto:Galbraith.Michael@epa.gov)>  
**Cc:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Subject:** RE: Question re: Sharepoint Access to ChemWaste Permit

Perfect, thanks Mike! I think ODEQ would like to see example permits and Attorney Client / Deliberative Process / Ex. 5 If you could check to see whether those have CBI and if not, whether we could release them, that would be really great.

Thanks!  
Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

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**From:** Galbraith, Michael  
**Sent:** Tuesday, May 16, 2017 6:29 AM  
**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>  
**Subject:** Re: Question re: Sharepoint Access to ChemWaste Permit

its my understanding that state folks can be added to a sharepoint point site if their name/email address is in our GAL (global address list) directory. Assuming their name is in that list, their computer system would need to be able access the one drive (which I assume should not be an issue, but I have heard some states can't do it for whatever reason).

I would also need to double check/verify that the files don't have cbi. Technically, none of them should have cbi - but i'd feel better if I verified that before I gave them access. I think the only files on there that have the potential to be cbi are the chem waste management permit and the

Attorney Client / Deliberative Process / Ex. 5

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

---

**From:** Davies, Lynne  
**Sent:** Monday, May 15, 2017 12:28 PM  
**To:** Galbraith, Michael  
**Subject:** Question re: Sharepoint Access to ChemWaste Permit

Hi Mike!  
Thanks so much for all of the files you've sent – we are combing through them. Is it possible to add a contact from Oregon to the Sharepoint site you gave us access to with the ChemWaste permit? He would really benefit from seeing this example, but I didn't know if we could add state folks to the EPA sharepoint site.

Thanks!  
Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10

1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

Message

---

**From:** Bartus, Dave [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6da455ea39234123a9cf7dac2f5707be-Bartus, David]  
**Sent:** 7/20/2017 4:22:06 PM  
**To:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; Blankenship, Melissa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=95719b84323a45c294fa01190917d76f-MBlank02]; Castrilli, Laura [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c0bab4dfaea34019886d1c9182214200-Castrilli, Laura]; Hedeem, Roberta [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a149eba5d0d54883a7c8cf5cbd6d1896-Hedeem, Roberta]; Macduff, Sean [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0d8b5b3cf54f466785ec57166433126b-MacDuff, Se]; Mullin, Michelle [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2ae5fc11b98742bab4287b61e107018c-Mullin, Michelle R]; Palumbo, Janice [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7c705e0f333d40239d3f922b33d3fa9a-Palumbo, Janice]; Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Olson, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d02f0d41a11a4bc696a74066f6ac82a8-Olson, Lisa]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**Subject:** RE: question re: SIC codes and exclusions under 261.4(a)12

Very good questions. It does appear that a facility can self-identify its SIC codes. The best information about who administers SIC/NAICS codes is the census bureau – see <https://www.census.gov/eos/www/naics/>.

**Attorney Client / Deliberative Process / Ex. 5**

# Attorney Client / Deliberative Process / Ex. 5

Dave

**From:** Knittel, Janette

**Sent:** Wednesday, July 19, 2017 5:57 PM

**To:** Bartus, Dave <Bartus.Dave@epa.gov>; Blankenship, Melissa <Blankenship.Melissa@epa.gov>; Castrilli, Laura <Castrilli.Laura@epa.gov>; Hedeem, Roberta <Hedeem.Roberta@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Macduff, Sean <macduff.sean@epa.gov>; Mullin, Michelle <Mullin.Michelle@epa.gov>; Palumbo, Janice <Palumbo.Jan@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>; Olson, Lisa <Olson.Lisa@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>

**Subject:** question re: SIC codes and exclusions under 261.4(a)12

Hi. Rich Duval (permit writer at ODEQ) called me today with a question about Standard Industrial Classification (SIC) codes in relation to the exclusion under 261.4(a)12. I've pasted the regulation below for reference. Rich got an inquiry from Chem Waste and wants us to help educate him before he responds to them. He says it appears that a facility could assign a petroleum refinery SIC code to itself (SIC 2911) and that there is no department or agency that controls SIC codes. The idea is that the exclusion would apply if one petroleum refinery transfers materials to another, so a facility like ChemWaste could claim the SIC 2911 code then take petroleum "materials" from a petroleum refinery and recycle it through its organic recovery unit. The transfer would be as a product via a bill of lading instead of as a waste via a manifest.

## Attorney Client / Deliberative Process / Ex. 5

Thanks,  
Janette

261.4(a)(12)(i) Oil-bearing hazardous secondary materials (*i.e.*, sludges, byproducts, or spent materials) that are generated at a petroleum refinery (SIC code 2911) and are inserted into the petroleum refining process (SIC code 2911—including, but not limited to, distillation, catalytic cracking, fractionation, gasification (as defined in 40 CFR 260.10) or thermal cracking units (*i.e.*, cokers)) unless the material is placed on the land, or speculatively accumulated before being so recycled. Materials inserted into thermal cracking units are excluded under this paragraph, provided that the coke product also does not exhibit a characteristic of hazardous waste. Oil-bearing hazardous secondary materials may be inserted into the same petroleum refinery where they are generated, or sent directly to another petroleum refinery and still be excluded under this provision. Except as provided in paragraph (a)(12)(ii) of this section, oil-bearing hazardous secondary materials generated elsewhere in the petroleum industry (*i.e.*, from sources other than petroleum refineries) are not excluded under this section. Residuals generated from processing or recycling materials excluded under this paragraph (a)(12)(i), where such materials as generated would have otherwise met a listing under subpart D of this part, are designated as F037 listed wastes when disposed of or intended for disposal.

Code of Federal Regulations / Title 40 - Protection of Environment / Vol. 27 / 2012-07-0142

(ii) Recovered oil that is recycled in the same manner and with the same conditions as described in paragraph (a)(12)(i) of this section. Recovered oil is oil that has been reclaimed from secondary materials (including wastewater) generated from normal petroleum industry practices, including refining, exploration and production, bulk storage, and transportation incident thereto (SIC codes 1311, 1321, 1381, 1382, 1389, 2911, 4612, 4613, 4922, 4923, 4789, 5171, and 5172.)



Recovered oil does not include oil-bearing hazardous wastes listed in subpart D of this part; however, oil recovered from such wastes may be considered recovered oil. Recovered oil does not include used oil as defined in 40 CFR 279.1.

Janette Knittel  
U.S. EPA Region 10  
Office of Air and Waste  
RCRA Corrective Action, Permits, and PCB Unit  
1200 Sixth Ave, Suite 900, OAW-150  
Seattle, WA 98101  
206-553-0483  
[knittel.janette@epa.gov](mailto:knittel.janette@epa.gov)

Message

---

**From:** McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]  
**Sent:** 2/28/2017 5:20:29 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**CC:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; Matthews, Julie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7053a5f530944120bfe765ca4d8cbe0d-Matthews. Julie]  
**Subject:** RE: Questions from ODEQ - If possible, would love to answer by 3/3/17.

Thank you, Lynne. I appreciate how quickly you turned that around to meet the state's needs, and also your examination of options. Thanks!

Lisa

Lisa McArthur  
RCRA Corrective Action, Permits and PCB Manager  
Office of Air and Waste  
EPA Region 10  
(206) 553-1814  
mcarthur.lisa@epa.gov

---

**From:** Davies, Lynne  
**Sent:** Tuesday, February 28, 2017 8:42 AM  
**To:** McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Cc:** Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>  
**Subject:** RE: Questions from ODEQ - If possible, would love to answer by 3/3/17.

Hi Lisa –

Thanks for the opportunity to work on these issues. Attached is my brief response to ODEQ's questions, as well as permit modification preamble language (including temporary authorization language) that I found helpful (see highlighted text on the second page of the attachment).

Let me know if you want to discuss this further, as I am happy to help! Also, I'm waiting to hear back from Mike Pease in OLEM to see if other regions/states have dealt with similar issues and how they have proceeded, but I have not heard back yet. I will let you know when I do.

Best,  
Lynne

---

**From:** McArthur, Lisa  
**Sent:** Thursday, February 23, 2017 3:56 PM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Cc:** Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>  
**Subject:** Questions from ODEQ - If possible, would love to answer by 3/3/17.

Lynne,

# **Attorney Client / Deliberative Process / Ex. 5**

Let me know, I'd love to answer her by next Friday, March 3. Thank you!

Lisa McArthur  
RCRA Corrective Action, Permits and PCB Manager  
Office of Air and Waste  
EPA Region 10  
(206) 553-1814  
[mcarthur.lisa@epa.gov](mailto:mcarthur.lisa@epa.gov)

Message

**From:** Davies, Lynne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=169EB6CBDEBB4CAF85F76390B8AB2674-LDAVIE12]  
**Sent:** 2/23/2017 11:59:16 PM  
**To:** McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]  
**CC:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**Subject:** RE: Questions from ODEQ - If possible, would love to answer by 3/3/17.

Thanks, Lisa! I will make this a priority and have an answer before Friday. **Attorney Client / Deliberative Process / Ex. 5**

**Attorney Client / Deliberative Process / Ex. 5**

Best,  
Lynne

---

**From:** McArthur, Lisa  
**Sent:** Thursday, February 23, 2017 3:56 PM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Cc:** Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>  
**Subject:** Questions from ODEQ - If possible, would love to answer by 3/3/17.

Lynne,

**Attorney Client / Deliberative Process / Ex. 5**

Let me know, I'd love to answer her by next Friday, March 3. Thank you!

Lisa McArthur  
RCRA Corrective Action, Permits and PCB Manager  
Office of Air and Waste  
EPA Region 10  
(206) 553-1814

[mcarthur.lisa@epa.gov](mailto:mcarthur.lisa@epa.gov)

Message

**From:** Davies, Lynne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=169EB6CBDEBB4CAF85F76390B8AB2674-LDAVIE12]  
**Sent:** 2/28/2017 5:59:52 PM  
**To:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]  
**CC:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**Subject:** RE: Questions from ODEQ - If possible, would love to answer by 3/3/17.

I'm happy to help!

**Attorney Client / Deliberative Process / Ex. 5**

Best,  
Lynne

---

**From:** Knittel, Janette  
**Sent:** Tuesday, February 28, 2017 9:55 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Cc:** Valdez, Heather <Valdez.Heather@epa.gov>  
**Subject:** RE: Questions from ODEQ - If possible, would love to answer by 3/3/17.

**Attorney Client / Deliberative Process / Ex. 5**

Lisa, shall I get us together to talk more about this or do you want to continue to work directly with Lissa on this?  
-Janette

---

**From:** Davies, Lynne  
**Sent:** Tuesday, February 28, 2017 8:42 AM  
**To:** McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Cc:** Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>  
**Subject:** RE: Questions from ODEQ - If possible, would love to answer by 3/3/17.

Hi Lisa –

Thanks for the opportunity to work on these issues. Attached is my brief response to ODEQ's questions, as well as permit modification preamble language (including temporary authorization language) that I found helpful (see highlighted text on the second page of the attachment).

Let me know if you want to discuss this further, as I am happy to help! Also, I'm waiting to hear back from Mike Pease in OLEM to see if other regions/states have dealt with similar issues and how they have proceeded, but I have not heard back yet. I will let you know when I do.

Best,  
Lynne

---

**From:** McArthur, Lisa

**Sent:** Thursday, February 23, 2017 3:56 PM

**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>

**Cc:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>

**Subject:** Questions from ODEQ - If possible, would love to answer by 3/3/17.

Lynne,

## **Attorney Client / Deliberative Process / Ex. 5**

Let me know, I'd love to answer her by next Friday, March 3. Thank you!

Lisa McArthur

RCRA Corrective Action, Permits and PCB Manager

Office of Air and Waste

EPA Region 10

(206) 553-1814

[mcarthur.lisa@epa.gov](mailto:mcarthur.lisa@epa.gov)

Message

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**From:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Sent:** 5/19/2017 11:38:46 PM  
**To:** Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]  
**CC:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**Subject:** RE: Quick Check-in (list of docs)

Mike,

Per Lynne's email below, the following is a list of documents that Lynne and I thought might be helpful to ODEQ in figuring out how to write their permit mod for the CWMNW Organic Recovery Unit. All of these are documents you had shared with us. Please let us know if you think it would not be appropriate to send any of these to ODEQ.

Thanks,  
Janette

## Attorney Client / Deliberative Process / Ex. 5

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**From:** Davies, Lynne  
**Sent:** Friday, May 19, 2017 11:53 AM  
**To:** Galbraith, Michael <Galbraith.Michael@epa.gov>  
**Cc:** Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** Quick Check-in

Hi Mike – We hope you're well and almost off for the weekend! I'm going to send an invite for a short call just so we can

## Attorney Client / Deliberative Process / Ex. 5

Many thanks, as always, for your help.

Best,  
Lynne

Lynne Davies



Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

Message

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**From:** Davies, Lynne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=169EB6CBDEBB4CAF85F76390B8AB2674-LDAVIE12]  
**Sent:** 5/22/2017 5:46:12 PM  
**To:** Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]  
**CC:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Subject:** RE: Quick Check-in

Thanks, Mike! We rescheduled for Wednesday. We would love to see the class 3 permit mod request.

We're looking forward to chatting with you.

Best,  
Lynne

---

**From:** Galbraith, Michael  
**Sent:** Monday, May 22, 2017 10:34 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Cc:** Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** Re: Quick Check-in

I can chat briefly this afternoon if you want, but I think i'll know a lot more say on Wednesday. im teleworking today, so call me at [Personal Phone / Ex. 6] if you still want to do this today.

I briefly talked to my DD last Thursday and need to have a followup discussion with her on the [Attorney Work Product / Ex. 5]

im currently trying to upload the cwm class 3 permit mod request, which may have useful info for you and Oregon.

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

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**From:** Davies, Lynne  
**Sent:** Friday, May 19, 2017 2:53 PM  
**To:** Galbraith, Michael  
**Cc:** Knittel, Janette  
**Subject:** Quick Check-in

Hi Mike – We hope you're well and almost off for the weekend! I'm going to send an invite for a short call just so we can touch base on where we are on the [Attorney Work Product / Ex. 5] determination next week. Janette has compiled a list of documents that she would like to send to the state (in addition to the ChemWaste permit), and we can also check in to see whether you think they are appropriate to send (no CBI or other deliberative information).

Many thanks, as always, for your help.

Best,  
Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

Message

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**From:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**Sent:** 4/21/2017 4:40:56 PM  
**To:** Welles, Laura [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d12d5767a8634f48935d8aa59f93d4f6-Welles, Lau]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Chang, Patrick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=45068ffdd29e4ae699263be4219d70a0-Chang, Patrick]; Colon, Lilybeth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6ae6d0cc3f984b08b8101569a2cf6308-Colon, Lilybeth]; Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Subject:** RE: Region 10 question about Attorney Work Product / Ex. 5  
**Attachments:** ATT70257; ATT05925; ATT87601; ATT95784; ATT21812; ATT36777

Hi, I apologize for missing the call, I'm just getting into the office about 10 minutes ago, and was out yesterday so didn't see the invite.

If anyone can provide me with a brief update that would be welcome. Call or email is fine. Thanks

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



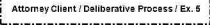
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-----Original Appointment-----

**From:** Welles, Laura  
**Sent:** Thursday, April 20, 2017 2:44 PM  
**To:** Davies, Lynne; Chang, Patrick; Colon, Lilybeth; Galbraith, Michael; Knittel, Janette; Valdez, Heather  
**Subject:** Region 10 question about HW incinerator  
**When:** Friday, April 21, 2017 11:30 AM-12:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** Personal Phone / Ex. 6 with code Personal Privacy / Ex. 6

Message

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**From:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Sent:** 4/21/2017 6:46:15 PM  
**To:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**CC:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**Subject:** RE: Region 10 question about 

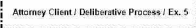
Hi Heather. I hope you're feeling better today. You didn't miss a whole lot. Unfortunately Mike G. didn't read Standalone 22 or the process diagram before the call, so the conversation was not very focused or definitive. He's going to look at the materials and Lynne is going to set up another call for May 9.

In the meantime I'm going to set up a call (early next week?) for Rich to walk us through his thought process for why he structured the draft permit mod the way he did. The idea is for us to listen, particularly as to why he chose subpart x and the air compliance conditions. We obviously don't have an answer for DEQ yet but it should help us think about what we might suggest later when we have it figured out more.

Look for an invite to both calls. Besides that, our next steps are that Lynne is going to do some more legal analysis of options, and I think Lisa will talk with you about getting your ideas for practical options that DEQ might consider in writing the permit mod.

Janette

---

**From:** Valdez, Heather  
**Sent:** Friday, April 21, 2017 9:41 AM  
**To:** Welles, Laura <Welles.Laura@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>; Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Galbraith, Michael <Galbraith.Michael@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** RE: Region 10 question about 

Hi, I apologize for missing the call, I'm just getting into the office about 10 minutes ago, and was out yesterday so didn't see the invite.

If anyone can provide me with a brief update that would be welcome. Call or email is fine. Thanks

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)

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-----Original Appointment-----

**From:** Welles, Laura

**Sent:** Thursday, April 20, 2017 2:44 PM

**To:** Davies, Lynne; Chang, Patrick; Colon, Lilybeth; Galbraith, Michael; Knittel, Janette; Valdez, Heather

**Subject:** Region 10 question about HW incinerator

**When:** Friday, April 21, 2017 11:30 AM-12:30 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:**  with code:

Message

---

**From:** Welles, Laura [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d12d5767a8634f48935d8aa59f93d4f6-Welles, Lau]  
**Sent:** 4/20/2017 4:43:12 PM  
**To:** Colon, Lilybeth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6ae6d0cc3f984b08b8101569a2cf6308-Colon, Lilybeth]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**CC:** Chang, Patrick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=45068ffdd29e4ae699263be4219d70a0-Chang, Patrick]; Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Mike – Does 11:30 tomorrow work for you? Thanks, Laura

---

**From:** Welles, Laura  
**Sent:** Thursday, April 20, 2017 12:40 PM  
**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>  
**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>; Galbraith, Michael <Galbraith.Michael@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Yes – let's go with 11:30 tomorrow.

I'll move the 11 am meeting to another time.

Lynne – do you want to send the meeting invite since you know who should be on the call on your end?

---

**From:** Colon, Lilybeth  
**Sent:** Thursday, April 20, 2017 12:38 PM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>  
**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>; Galbraith, Michael <Galbraith.Michael@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

That works for me if Laura moves our 11:00 am meeting.

Lilybeth

---

**From:** Davies, Lynne  
**Sent:** Thursday, April 20, 2017 12:14 PM  
**To:** Welles, Laura <Welles.Laura@epa.gov>; Colon, Lilybeth <Colon.Lilybeth@epa.gov>  
**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>; Galbraith, Michael <Galbraith.Michael@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

I think 8:30 Pacific could work – 11:30 for you folks?

---

**From:** Welles, Laura  
**Sent:** Thursday, April 20, 2017 9:10 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Colon, Lilybeth <Colon.Lilybeth@epa.gov>  
**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>; Galbraith, Michael <Galbraith.Michael@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Lynne – With the time difference, how early can you all meet tomorrow (you referenced tomorrow morning)? Thanks,  
Laura

---

**From:** Davies, Lynne  
**Sent:** Thursday, April 20, 2017 12:00 PM  
**To:** Welles, Laura <Welles.Laura@epa.gov>; Colon, Lilybeth <Colon.Lilybeth@epa.gov>  
**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>; Galbraith, Michael <Galbraith.Michael@epa.gov>

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Any chance you are all available tomorrow morning?  
not, we can try for later today.

**Personal Privacy / Ex. 6**

If

**From:** Welles, Laura

**Sent:** Thursday, April 20, 2017 7:13 AM

**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>

**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>; Galbraith, Michael <Galbraith.Michael@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Thanks Lilybeth.

Lynne – are you and others in Region 10 available for a call tomorrow (4/21). If so, let us know some times you are available.

Thanks,

Laura

Laura Welles

Attorney Advisor

Waste and Chemical Enforcement Division

Office of Civil Enforcement

U.S. Environmental Protection Agency

(202) 564-2754

**From:** Colon, Lilybeth

**Sent:** Thursday, April 20, 2017 9:38 AM

**To:** Welles, Laura <Welles.Laura@epa.gov>

**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>; Galbraith, Michael <Galbraith.Michael@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Laura,

I would prefer to schedule a separate call with Region 10. That way we can really devote time to it and decide whether/when involve the other teams. Mike and I are both available tomorrow. **Personal Privacy / Ex. 6** but I could participate on a call and share my notes with him. The other option would be for Mike and I to start discussing the issue and get back to you and R10 with thoughts and/or questions. Do you know what the R10 timeline is?

Lilybeth Colón

T: 703-308-2392

**From:** Welles, Laura

**Sent:** Monday, April 17, 2017 1:08 PM

**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>

**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Lilybeth,

Thank you for reaching out to Mike Galbraith re: R10's question. I received an email from Lynne Davies (R10 – formerly HQ/OECA/WCED) Thursday afternoon about whether she can join the PIT call later this week in case this matter is discussed. I left it with her that I would check with you – I wasn't sure whether there was an agenda, etc. What are your thoughts – include as an agenda item for the PIT call or schedule a separate call with R10. It's my understanding from R10 that they are hoping to get a handle on the issue re: **Attorney Client / Deliberative Process / Ex. 5**

sooner rather than later. **Attorney Client / Deliberative Process / Ex. 5**  
to the RCRA/CAA overlap question.

Thanks,

Laura



Laura Welles  
Attorney Advisor  
Waste and Chemical Enforcement Division  
Office of Civil Enforcement  
U.S. Environmental Protection Agency  
(202) 564-2754

---

**From:** Colon, Lilybeth

**Sent:** Thursday, April 13, 2017 8:09 AM

**To:** Welles, Laura <Welles.Laura@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Mike Galbraith has expertise in Attorney Client / Deliberative Process / Ex. 5 I'll speak with him to find out about his availability.  
Lilybeth

---

**From:** Welles, Laura

**Sent:** Wednesday, April 12, 2017 5:03 PM

**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

---

**From:** Welles, Laura

**Sent:** Wednesday, April 12, 2017 4:07 PM

**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>

**Cc:** Crossland, Andy <Crossland.Andy@epa.gov>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

FYI – this is more discussion on the R10 permit question. I think we should discuss the not so straight forward portion (see highlighted section and David Ogulei's response) next week (time permitting) when we discuss the R5 guidance.

---

**From:** Martin, Thomas

**Sent:** Wednesday, April 12, 2017 4:01 PM

**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Ogulei, David <Ogulei.David@epa.gov>

**Cc:** Blough, James <Blough.James@epa.gov>; Westefer, Gary <westefer.gary@epa.gov>

**Subject:** Fw: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

---

**From:** Ogulei, David

**Sent:** Wednesday, April 12, 2017 9:09 AM

**To:** Martin, Thomas

**Cc:** Blough, James; Westefer, Gary

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Tom –

## Attorney Client / Deliberative Process / Ex. 5

# Attorney Client / Deliberative Process / Ex. 5

David

**From:** Martin, Thomas

**Sent:** Tuesday, April 11, 2017 1:02 PM

**To:** Ogulei, David <[Ogulei.David@epa.gov](mailto:Ogulei.David@epa.gov)>; Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

All-I've taken a longer look at Region 10's question

**Attorney Client / Deliberative Process / Ex. 5**

# Attorney Client / Deliberative Process / Ex. 5

**From:** Martin, Thomas

**Sent:** Tuesday, April 11, 2017 10:53 AM

**To:** Ogulei, David <[Ogulei.David@epa.gov](mailto:Ogulei.David@epa.gov)>

**Cc:** Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Jim's initial response. By way of background, this is a group question from Region 10, and I somehow got on the list of responders. The questions mainly seem to be technical in nature, and I appreciate all of your input. Thanks again, Tom

---

**From:** Blough, James

**Sent:** Tuesday, April 11, 2017 9:34 AM

**To:** Martin, Thomas <[martin.thomas@epa.gov](mailto:martin.thomas@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

I think you should ask dave as well.

Gary

Give me a call I have some ideas on this.

## Attorney Client / Deliberative Process / Ex. 5

---

**From:** Martin, Thomas

**Sent:** Monday, April 10, 2017 6:06 PM

**To:** Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Any thoughts?

---

**From:** Davies, Lynne

**Sent:** Monday, April 10, 2017 5:48 PM

**To:** Mia, Marcia <[Mia.Marcia@epa.gov](mailto:Mia.Marcia@epa.gov)>; Welles, Laura <[Welles.Laura@epa.gov](mailto:Welles.Laura@epa.gov)>; Martin, Thomas <[martin.thomas@epa.gov](mailto:martin.thomas@epa.gov)>

**Cc:** McArthur, Lisa <[McArthur.Lisa@epa.gov](mailto:McArthur.Lisa@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Vergeront, Julie <[Vergeront.Julie@epa.gov](mailto:Vergeront.Julie@epa.gov)>; Pavitt, John <[Pavitt.John@epa.gov](mailto:Pavitt.John@epa.gov)>

**Subject:** Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Marcia, Laura, and Tom -

Region 10 folks are wondering whether you could help us determine

Attorney Client / Deliberative Process / Ex. 5

## Attorney Client / Deliberative Process / Ex. 5

# **Attorney Client / Deliberative Process / Ex. 5**

Many thanks for your help! Please let me know if you'd like to discuss anything, and I can schedule a call with our Region 10 folks.

Lynne

Lynne Davies

Attorney-Advisor

U.S. Environmental Protection Agency, Region 10

1200 Sixth Avenue, Suite 900, ORC -113

Seattle, WA 98101

(206) 553-5556

Message

---

**From:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Sent:** 4/20/2017 4:10:16 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

I can be available anytime tomorrow except for our 9:30 meeting which I'm sure we could reschedule.  
-J

---

**From:** Davies, Lynne  
**Sent:** Thursday, April 20, 2017 9:01 AM  
**To:** Valdez, Heather <Valdez.Heather@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
**Cc:** McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

I'll see if a time tomorrow works for them - **Personal Privacy / Ex. 6**

---

**From:** Valdez, Heather  
**Sent:** Thursday, April 20, 2017 8:57 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
**Cc:** McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Personal Matters / Ex. 6

need be, is that okay for me to work a little from home today and then take sick leave for the rest of the day?

I might not see an email, so Lynne, can you give me a call to let me know the time for today's call, if it looks like it would be better to get that done today.

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

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**Sent:** Thursday, April 20, 2017 8:44 AM

**To:** Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>

**Cc:** McArthur, Lisa <McArthur.Lisa@epa.gov>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Janette and Heather – are you all available today for a call with Mike Galbraith Attorney Client / Deliberative Process / Ex. 5 if so, let me know what time(s) work for you.

Best,  
Lynne

---

**From:** Welles, Laura

**Sent:** Thursday, April 20, 2017 7:13 AM

**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>

**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>; Galbraith, Michael <Galbraith.Michael@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Thanks Lilybeth.

Lynne – are you and others in Region 10 available for a call tomorrow (4/21). If so, let us know some times you are available.

Thanks,  
Laura

Laura Welles  
Attorney Advisor  
Waste and Chemical Enforcement Division  
Office of Civil Enforcement  
U.S. Environmental Protection Agency  
(202) 564-2754

---

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**Sent:** Thursday, April 20, 2017 9:38 AM

**To:** Welles, Laura <Welles.Laura@epa.gov>

**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>; Galbraith, Michael <Galbraith.Michael@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Laura,

I would prefer to schedule a separate call with Region 10. That way we can really devote time to it and decide whether/when involve the other teams. Mike and I are both available tomorrow Personal Privacy / Ex. 6 but I could participate on a call and share my notes with him. The other option would be for Mike and I to start discussing the issue and get back to you and R10 with thoughts and/or questions. Do you know what the R10 timeline is?

Lilybeth Colón  
T: 703-308-2392

---

**From:** Welles, Laura  
**Sent:** Monday, April 17, 2017 1:08 PM  
**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>  
**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Lilybeth,

Thank you for reaching out to Mike Galbraith re: R10's question. I received an email from Lynne Davies (R10 – formerly HQ/OECA/WCED) Thursday afternoon about whether she can join the PIT call later this week in case this matter is discussed. I left it with her that I would check with you – I wasn't sure whether there was an agenda, etc. What are your

## Attorney Client / Deliberative Process / Ex. 5

Thanks,  
Laura

Laura Welles  
Attorney Advisor  
Waste and Chemical Enforcement Division  
Office of Civil Enforcement  
U.S. Environmental Protection Agency  
(202) 564-2754

---

**From:** Colon, Lilybeth  
**Sent:** Thursday, April 13, 2017 8:09 AM  
**To:** Welles, Laura <Welles.Laura@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Mike Galbraith has expertise in Attorney Client / Deliberative Process / Ex. 5 I'll speak with him to find out about his availability.

Lilybeth

---

**From:** Welles, Laura  
**Sent:** Wednesday, April 12, 2017 5:03 PM  
**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

---

**From:** Welles, Laura  
**Sent:** Wednesday, April 12, 2017 4:07 PM  
**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>

**Cc:** Crossland, Andy <Crossland.Andy@epa.gov>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

FYI – this is more discussion on the R10 permit question. I think we should discuss the not so straight forward portion (see highlighted section and David Ogulei's response) next week (time permitting) when we discuss the R5 guidance.

---

**From:** Martin, Thomas

**Sent:** Wednesday, April 12, 2017 4:01 PM

**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Ogulei, David <Ogulei.David@epa.gov>

**Cc:** Blough, James <Blough.James@epa.gov>; Westefer, Gary <westefer.gary@epa.gov>

**Subject:** Fw: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

**Attorney Client / Deliberative Process / Ex. 5**

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**From:** Ogulei, David

**Sent:** Wednesday, April 12, 2017 9:09 AM

**To:** Martin, Thomas

**Cc:** Blough, James; Westefer, Gary

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Tom –

**Attorney Client / Deliberative Process / Ex. 5**

David



---

**From:** Martin, Thomas

**Sent:** Tuesday, April 11, 2017 1:02 PM

**To:** Ogulei, David <Ogulei.David@epa.gov>; Blough, James <Blough.James@epa.gov>; Westefer, Gary <westefer.gary@epa.gov>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

All-I've taken a longer look at Region 10's question

**Attorney Client / Deliberative Process / Ex. 5**

## Attorney Client / Deliberative Process / Ex. 5

---

**From:** Martin, Thomas

**Sent:** Tuesday, April 11, 2017 10:53 AM

**To:** Ogulei, David <Ogulei.David@epa.gov>

**Cc:** Blough, James <Blough.James@epa.gov>; Westefer, Gary <westefer.gary@epa.gov>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Jim's initial response. By way of background, this is a group question from Region 10, and I somehow got on the list of responders. The questions mainly seem to be technical in nature, and I appreciate all of your input. Thanks again, Tom

---

**From:** Blough, James

**Sent:** Tuesday, April 11, 2017 9:34 AM

**To:** Martin, Thomas <[martin.thomas@epa.gov](mailto:martin.thomas@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

I think you should ask dave as well.

Gary

Give me a call I have some ideas on this.

## Attorney Client / Deliberative Process / Ex. 5

---

**From:** Martin, Thomas

**Sent:** Monday, April 10, 2017 6:06 PM

**To:** Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Any thoughts?

---

**From:** Davies, Lynne

**Sent:** Monday, April 10, 2017 5:48 PM

**To:** Mia, Marcia <[Mia.Marcia@epa.gov](mailto:Mia.Marcia@epa.gov)>; Welles, Laura <[Welles.Laura@epa.gov](mailto:Welles.Laura@epa.gov)>; Martin, Thomas <[martin.thomas@epa.gov](mailto:martin.thomas@epa.gov)>

**Cc:** McArthur, Lisa <[McArthur.Lisa@epa.gov](mailto:McArthur.Lisa@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Vergeront, Julie <[Vergeront.Julie@epa.gov](mailto:Vergeront.Julie@epa.gov)>; Pavitt, John <[Pavitt.John@epa.gov](mailto:Pavitt.John@epa.gov)>

**Subject:** Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Marcia, Laura, and Tom -

Region 10 folks are wondering whether you could help us determine

Attorney Client / Deliberative Process / Ex. 5

## Attorney Client / Deliberative Process / Ex. 5

# **Attorney Client / Deliberative Process / Ex. 5**

Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10

1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

Message

---

**From:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Sent:** 4/20/2017 3:55:33 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**CC:** McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Yes, anytime except 10:30-11:30 or 1:00-2:00.

-Janette

---

**From:** Davies, Lynne  
**Sent:** Thursday, April 20, 2017 8:44 AM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>  
**Cc:** McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Janette and Heather – are you all available today for a call with Mike Galbraith on the Attorney Client / Deliberative Process / Ex. 5 If so, let me know what time(s) work for you.

Best,  
Lynne

---

**From:** Welles, Laura  
**Sent:** Thursday, April 20, 2017 7:13 AM  
**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>  
**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>; Galbraith, Michael <Galbraith.Michael@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Thanks Lilybeth.

Lynne – are you and others in Region 10 available for a call tomorrow (4/21). If so, let us know some times you are available.

Thanks,  
Laura

Laura Welles  
Attorney Advisor  
Waste and Chemical Enforcement Division  
Office of Civil Enforcement  
U.S. Environmental Protection Agency  
(202) 564-2754

---

**From:** Colon, Lilybeth  
**Sent:** Thursday, April 20, 2017 9:38 AM  
**To:** Welles, Laura <Welles.Laura@epa.gov>  
**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>; Galbraith, Michael <Galbraith.Michael@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Laura,

I would prefer to schedule a separate call with Region 10. That way we can really devote time to it and decide whether/when involve the other teams. Mike and I are both available tomorrow. Mike is out on vacation next week, but I could participate on a call and share my notes with him. The other option would be for Mike and I to start discussing the issue and get back to you and R10 with thoughts and/or questions. Do you know what the R10 timeline is?

Lilybeth Colón  
T: 703-308-2392

---

**From:** Welles, Laura  
**Sent:** Monday, April 17, 2017 1:08 PM  
**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>  
**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Lilybeth,

Thank you for reaching out to Mike Galbraith re: R10's question. I received an email from Lynne Davies (R10 – formerly HQ/OECA/WCED) Thursday afternoon about whether she can join the PIT call later this week in case this matter is discussed. I left it with her that I would check with you – I wasn't sure whether there was an agenda, etc. What are your thoughts – include as an agenda item for the PIT call or schedule a separate call with R10. It's my understanding from

## Attorney Client / Deliberative Process / Ex. 5

Thanks,  
Laura

Laura Welles  
Attorney Advisor  
Waste and Chemical Enforcement Division  
Office of Civil Enforcement  
U.S. Environmental Protection Agency  
(202) 564-2754

---

**From:** Colon, Lilybeth  
**Sent:** Thursday, April 13, 2017 8:09 AM  
**To:** Welles, Laura <Welles.Laura@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Mike Galbraith has expertise in Attorney Client / Deliberative Process / Ex. 5 I'll speak with him to find out about his availability.

Lilybeth

---

**From:** Welles, Laura

**Sent:** Wednesday, April 12, 2017 5:03 PM

**To:** Colon, Lilybeth <[Colon.Lilybeth@epa.gov](mailto:Colon.Lilybeth@epa.gov)>; Chang, Patrick <[Chang.Patrick@epa.gov](mailto:Chang.Patrick@epa.gov)>

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

---

**From:** Welles, Laura

**Sent:** Wednesday, April 12, 2017 4:07 PM

**To:** Colon, Lilybeth <[Colon.Lilybeth@epa.gov](mailto:Colon.Lilybeth@epa.gov)>; Chang, Patrick <[Chang.Patrick@epa.gov](mailto:Chang.Patrick@epa.gov)>

**Cc:** Crossland, Andy <[Crossland.Andy@epa.gov](mailto:Crossland.Andy@epa.gov)>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

FYI – this is more discussion on the R10 permit question. I think we should discuss the not so straight forward portion (see highlighted section and David Ogulei's response) next week (time permitting) when we discuss the R5 guidance.

---

**From:** Martin, Thomas

**Sent:** Wednesday, April 12, 2017 4:01 PM

**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>; Welles, Laura <[Welles.Laura@epa.gov](mailto:Welles.Laura@epa.gov)>; Ogulei, David <[Ogulei.David@epa.gov](mailto:Ogulei.David@epa.gov)>

**Cc:** Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>

**Subject:** Fw: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

---

**From:** Ogulei, David

**Sent:** Wednesday, April 12, 2017 9:09 AM

**To:** Martin, Thomas

**Cc:** Blough, James; Westefer, Gary

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Tom –

## Attorney Client / Deliberative Process / Ex. 5

## Attorney Client / Deliberative Process / Ex. 5

David

---

**From:** Martin, Thomas

**Sent:** Tuesday, April 11, 2017 1:02 PM

**To:** Ogulei, David <[Ogulei.David@epa.gov](mailto:Ogulei.David@epa.gov)>; Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

All-I've taken a longer look at Region 10's question

**Attorney Client / Deliberative Process / Ex. 5**

## Attorney Client / Deliberative Process / Ex. 5



# Attorney Client / Deliberative Process / Ex. 5

---

**From:** Martin, Thomas  
**Sent:** Tuesday, April 11, 2017 10:53 AM  
**To:** Ogulei, David <Ogulei.David@epa.gov>  
**Cc:** Blough, James <Blough.James@epa.gov>; Westefer, Gary <westefer.gary@epa.gov>  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Jim's initial response. By way of background, this is a group question from Region 10, and I somehow got on the list of responders. The questions mainly seem to be technical in nature, and I appreciate all of your input. Thanks again, Tom

---

**From:** Blough, James  
**Sent:** Tuesday, April 11, 2017 9:34 AM  
**To:** Martin, Thomas <martin.thomas@epa.gov>; Westefer, Gary <westefer.gary@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

I think you should ask dave as well.

Gary

Give me a call I have some ideas on this.

# Attorney Client / Deliberative Process / Ex. 5

---

**From:** Martin, Thomas

**Sent:** Monday, April 10, 2017 6:06 PM

**To:** Blough, James <Blough.James@epa.gov>; Westefer, Gary <westefer.gary@epa.gov>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Any thoughts?

---

**From:** Davies, Lynne

**Sent:** Monday, April 10, 2017 5:48 PM

**To:** Mia, Marcia <Mia.Marcia@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Martin, Thomas <martin.thomas@epa.gov>

**Cc:** McArthur, Lisa <McArthur.Lisa@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>; Vergeront, Julie <Vergeront.Julie@epa.gov>; Pavitt, John <Pavitt.John@epa.gov>

**Subject:** Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Marcia, Laura, and Tom -

Region 10 folks are wondering whether you could help us determine

**Attorney Client / Deliberative Process / Ex. 5**

**Attorney Client / Deliberative Process / Ex. 5**

# **Attorney Client / Deliberative Process / Ex. 5**

Many thanks for your help! Please let me know if you'd like to discuss anything, and I can schedule a call with our Region 10 folks.

Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

Message

---

**From:** Welles, Laura [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d12d5767a8634f48935d8aa59f93d4f6-Welles, Lau]  
**Sent:** 4/18/2017 3:28:24 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**CC:** Vergeront, Julie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=99966bfa656f4d7c85b4b370f8b33c0e-Vergeront, Julie]  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

**From:** Welles, Laura  
**Sent:** Friday, April 14, 2017 10:39 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Cc:** Vergeront, Julie <Vergeront.Julie@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Lynne and Julie,

I'll touch base with Lilybeth Colon (she facilitates the Permit Integrity Team call) on Monday and get back to you about the call and timing -- I'm not sure what the agenda is yet for the call.

Have a good weekend!

Laura

---

**From:** Davies, Lynne  
**Sent:** Thursday, April 13, 2017 6:14 PM  
**To:** Welles, Laura <Welles.Laura@epa.gov>  
**Cc:** Vergeront, Julie <Vergeront.Julie@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Laura – can Julie Vergeront (ORC) and I attend the permitting call next week, or join late (for when the cc exemption topic might be discussed)? If so, is there an invite or a call-in number? Julie is an air attorney in our group and has a lot of expertise in CAA requirements/permit issues.

Many thanks!  
Lynne

---

**From:** Welles, Laura  
**Sent:** Thursday, April 13, 2017 2:22 PM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

FYI – Lilybeth is checking with Mike Galbraith in ORCR.

---

**From:** Colon, Lilybeth  
**Sent:** Thursday, April 13, 2017 8:09 AM  
**To:** Welles, Laura <Welles.Laura@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Mike Galbraith has expertise in Attorney Client / Deliberative Process / Ex. 5 I'll speak with him to find out about his availability.

Lilybeth

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**Sent:** Wednesday, April 12, 2017 5:03 PM  
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## Attorney Client / Deliberative Process / Ex. 5

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**Sent:** Wednesday, April 12, 2017 4:01 PM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Ogulei, David <Ogulei.David@epa.gov>  
**Cc:** Blough, James <Blough.James@epa.gov>; Westefer, Gary <westefer.gary@epa.gov>  
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## Attorney Client / Deliberative Process / Ex. 5

---

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**Sent:** Wednesday, April 12, 2017 9:09 AM  
**To:** Martin, Thomas  
**Cc:** Blough, James; Westefer, Gary  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Tom –

# Attorney Client / Deliberative Process / Ex. 5

David

---

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**Sent:** Tuesday, April 11, 2017 1:02 PM

**To:** Ogulei, David <Ogulei.David@epa.gov>; Blough, James <Blough.James@epa.gov>; Westefer, Gary <westefer.gary@epa.gov>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

All-I've taken a longer look at Region 10's question

**Attorney Client / Deliberative Process / Ex. 5**

# Attorney Client / Deliberative Process / Ex. 5

# Attorney Client / Deliberative Process / Ex. 5

---

**From:** Martin, Thomas

**Sent:** Tuesday, April 11, 2017 10:53 AM

**To:** Ogulei, David <[Ogulei.David@epa.gov](mailto:Ogulei.David@epa.gov)>

**Cc:** Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Jim's initial response. By way of background, this is a group question from Region 10, and I somehow got on the list of responders. The questions mainly seem to be technical in nature, and I appreciate all of your input. Thanks again, Tom

---

**From:** Blough, James

**Sent:** Tuesday, April 11, 2017 9:34 AM

**To:** Martin, Thomas <[martin.thomas@epa.gov](mailto:martin.thomas@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

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Gary

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# Attorney Client / Deliberative Process / Ex. 5

---

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**To:** Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Any thoughts?

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**Sent:** Monday, April 10, 2017 5:48 PM  
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**Cc:** McArthur, Lisa <[McArthur.Lisa@epa.gov](mailto:McArthur.Lisa@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Vergeront, Julie <[Vergeront.Julie@epa.gov](mailto:Vergeront.Julie@epa.gov)>; Pavitt, John <[Pavitt.John@epa.gov](mailto:Pavitt.John@epa.gov)>  
**Subject:** Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Marcia, Laura, and Tom -

**Attorney Client / Deliberative Process / Ex. 5**



# **Attorney Client / Deliberative Process / Ex. 5**

Many thanks for your help! Please let me know if you'd like to discuss anything, and I can schedule a call with our Region 10 folks.

Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

Message

---

**From:** Vergeront, Julie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=99966bfa656f4d7c85b4b370f8b33c0e-Vergeront, Julie]  
**Sent:** 4/13/2017 8:53:29 PM  
**To:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**CC:** McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

**Julie A. Vergeront**

Assistant Regional Counsel  
EPA Region 10  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101  
206-553-1497  
vergeront.julie@epa.gov

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---

**From:** Valdez, Heather  
**Sent:** Thursday, April 13, 2017 1:45 PM  
**To:** Vergeront, Julie <Vergeront.Julie@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
**Cc:** McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

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Heather Valdez

RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Vergeront, Julie  
**Sent:** Thursday, April 13, 2017 11:05 AM  
**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Cc:** McArthur, Lisa <[McArthur.Lisa@epa.gov](mailto:McArthur.Lisa@epa.gov)>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

**Julie A. Vergeront**  
Assistant Regional Counsel  
EPA Region 10  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101  
206-553-1497  
[vergeront.julie@epa.gov](mailto:vergeront.julie@epa.gov)

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**Attorney Client / Deliberative Process / Ex. 5**

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Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
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[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



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**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Cc:** Vergeront, Julie <[Vergeront.Julie@epa.gov](mailto:Vergeront.Julie@epa.gov)>; McArthur, Lisa <[McArthur.Lisa@epa.gov](mailto:McArthur.Lisa@epa.gov)>  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

FYI – more emails coming from Tom Martin and others in Region 5.

I will compile all of the responses we get and analyze for everyone, but wanted you to have access to all of the emails that I am receiving as well.

Thanks,  
Lynne

---

**From:** Martin, Thomas  
**Sent:** Wednesday, April 12, 2017 1:01 PM  
**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>; Welles, Laura <[Welles.Laura@epa.gov](mailto:Welles.Laura@epa.gov)>; Ogulei, David <[Ogulei.David@epa.gov](mailto:Ogulei.David@epa.gov)>  
**Cc:** Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>  
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Tom –

# Attorney Client / Deliberative Process / Ex. 5

David

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**From:** Martin, Thomas

**Sent:** Tuesday, April 11, 2017 1:02 PM

**To:** Ogulei, David <[Ogulei.David@epa.gov](mailto:Ogulei.David@epa.gov)>; Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

All-I've taken a longer look at Region 10's question:

**Attorney Client / Deliberative Process / Ex. 5**

# Attorney Client / Deliberative Process / Ex. 5

# Attorney Client / Deliberative Process / Ex. 5

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**From:** Martin, Thomas  
**Sent:** Tuesday, April 11, 2017 10:53 AM  
**To:** Ogulei, David <[Ogulei.David@epa.gov](mailto:Ogulei.David@epa.gov)>  
**Cc:** Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Jim's initial response. By way of background, this is a group question from Region 10, and I somehow got on the list of responders. The questions mainly seem to be technical in nature, and I appreciate all of your input. Thanks again, Tom

---

**From:** Blough, James  
**Sent:** Tuesday, April 11, 2017 9:34 AM  
**To:** Martin, Thomas <[martin.thomas@epa.gov](mailto:martin.thomas@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

I think you should ask dave as well.

Gary

Give me a call I have some ideas on this.

# Attorney Client / Deliberative Process / Ex. 5

---

**From:** Martin, Thomas  
**Sent:** Monday, April 10, 2017 6:06 PM  
**To:** Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Any thoughts?

---

**From:** Davies, Lynne  
**Sent:** Monday, April 10, 2017 5:48 PM  
**To:** Mia, Marcia <[Mia.Marcia@epa.gov](mailto:Mia.Marcia@epa.gov)>; Welles, Laura <[Welles.Laura@epa.gov](mailto:Welles.Laura@epa.gov)>; Martin, Thomas <[martin.thomas@epa.gov](mailto:martin.thomas@epa.gov)>  
**Cc:** McArthur, Lisa <[McArthur.Lisa@epa.gov](mailto:McArthur.Lisa@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Vergeront, Julie <[Vergeront.Julie@epa.gov](mailto:Vergeront.Julie@epa.gov)>; Pavitt, John <[Pavitt.John@epa.gov](mailto:Pavitt.John@epa.gov)>  
**Subject:** Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Marcia, Laura, and Tom -

**Attorney Client / Deliberative Process / Ex. 5**



# **Attorney Client / Deliberative Process / Ex. 5**

Many thanks for your help! Please let me know if you'd like to discuss anything, and I can schedule a call with our Region 10 folks.

Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

Message

---

**From:** Vergeront, Julie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=99966bfa656f4d7c85b4b370f8b33c0e-Vergeront, Julie]  
**Sent:** 4/13/2017 6:05:03 PM  
**To:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**CC:** McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

**Julie A. Vergeront**  
Assistant Regional Counsel  
EPA Region 10  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101  
206-553-1497  
vergeront.julie@epa.gov

Confidential communication for internal deliberations only; attorney-client privilege, attorney work product and/or enforcement privilege; do not distribute outside EPA or DOJ

---

**From:** Valdez, Heather  
**Sent:** Wednesday, April 12, 2017 5:07 PM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
**Cc:** Vergeront, Julie <Vergeront.Julie@epa.gov>; McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

# **Attorney Client / Deliberative Process / Ex. 5**

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Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10

1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Davies, Lynne  
**Sent:** Wednesday, April 12, 2017 3:22 PM  
**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Cc:** Vergeront, Julie <[Vergeront.Julie@epa.gov](mailto:Vergeront.Julie@epa.gov)>; McArthur, Lisa <[McArthur.Lisa@epa.gov](mailto:McArthur.Lisa@epa.gov)>  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

FYI – more emails coming from Tom Martin and others in Region 5.

I will compile all of the responses we get and analyze for everyone, but wanted you to have access to all of the emails that I am receiving as well.

Thanks,  
Lynne

---

**From:** Martin, Thomas  
**Sent:** Wednesday, April 12, 2017 1:01 PM  
**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>; Welles, Laura <[Welles.Laura@epa.gov](mailto:Welles.Laura@epa.gov)>; Ogulei, David <[Ogulei.David@epa.gov](mailto:Ogulei.David@epa.gov)>  
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**Attorney Client / Deliberative Process / Ex. 5**

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Tom –

**Attorney Client / Deliberative Process / Ex. 5**

# Attorney Client / Deliberative Process / Ex. 5

David

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**Cc:** Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>  
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**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

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# Attorney Client / Deliberative Process / Ex. 5

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**Sent:** Monday, April 10, 2017 6:06 PM

To: Blough, James <Blough.James@epa.gov>; Westefer, Gary <westefer.gary@epa.gov>

Subject: FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Any thoughts?

---

From: Davies, Lynne

Sent: Monday, April 10, 2017 5:48 PM

To: Mia, Marcia <Mia.Marcia@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Martin, Thomas <martin.thomas@epa.gov>

Cc: McArthur, Lisa <McArthur.Lisa@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>; Vergeront, Julie <Vergeront.Julie@epa.gov>; Pavitt, John <Pavitt.John@epa.gov>

Subject: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Marcia, Laura, and Tom -

Region 10 folks are wondering whether you could help us determine

**Attorney Client / Deliberative Process / Ex. 5**

**Attorney Client / Deliberative Process / Ex. 5**

# **Attorney Client / Deliberative Process / Ex. 5**

Many thanks for your help! Please let me know if you'd like to discuss anything, and I can schedule a call with our Region 10 folks.

Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556



Message

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**From:** Welles, Laura [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d12d5767a8634f48935d8aa59f93d4f6-Welles, Lau]  
**Sent:** 4/11/2017 8:02:42 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Yes – sounds good.

---

**From:** Davies, Lynne  
**Sent:** Tuesday, April 11, 2017 2:15 PM  
**To:** Welles, Laura <Welles.Laura@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Yes! Let's chat tomorrow – I'll be here. Does 1pm pacific time work?

---

**From:** Welles, Laura  
**Sent:** Tuesday, April 11, 2017 8:33 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

I'll take a look at what you sent – do you want to chat tomorrow (Wednesday) afternoon?

Laura

Laura Welles  
Attorney Advisor  
Waste and Chemical Enforcement Division  
Office of Civil Enforcement  
U.S. Environmental Protection Agency  
(202) 564-2754

---

**From:** Davies, Lynne  
**Sent:** Monday, April 10, 2017 6:52 PM  
**To:** Welles, Laura <Welles.Laura@epa.gov>  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi! Maybe we can chat tomorrow? I didn't want this to come as a surprise. I can fill you in on the background.

---

**From:** Davies, Lynne  
**Sent:** Monday, April 10, 2017 3:48 PM  
**To:** Mia, Marcia <Mia.Marcia@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Martin, Thomas

<martin.thomas@epa.gov>

Cc: McArthur, Lisa <McArthur.Lisa@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>; Vergeront, Julie <Vergeront.Julie@epa.gov>; Pavitt, John <Pavitt.John@epa.gov>

**Subject:** Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Marcia, Laura, and Tom -

**Attorney Client / Deliberative Process / Ex. 5**

# Attorney Client / Deliberative Process / Ex. 5

Many thanks for your help! Please let me know if you'd like to discuss anything, and I can schedule a call with our Region 10 folks.

Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

Message

**From:** Mia, Marcia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6590c44762d64ce28ab3d7a7fbb14673-MMia]  
**Sent:** 4/11/2017 2:16:26 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Welles, Laura [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d12d5767a8634f48935d8aa59f93d4f6-Welles, Lau]; Martin, Thomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0f5be51c12f644489c641d1231da5f5f-TMart03]  
**CC:** McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Vergeront, Julie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=99966bfa656f4d7c85b4b370f8b33c0e-Vergeront, Julie]; Pavitt, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31d144be2f8043a2b6de245e1706134a-Pavitt, John]; Ayres, Sara [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ce5147a6a41e4ad488630393bb12c3f0-Ayres, Sara]; Modak, Nabanita [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1340065fdf645329a23f0e44df1f39c-Modak, Nabanita]  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

Marcia B Mia  
Office of Compliance/Air Branch  
2227A WJCS  
U.S. Environmental Protection Agency  
202-564-7042

**From:** Davies, Lynne  
**Sent:** Monday, April 10, 2017 6:48 PM  
**To:** Mia, Marcia <Mia.Marcia@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Martin, Thomas <martin.thomas@epa.gov>  
**Cc:** McArthur, Lisa <McArthur.Lisa@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>; Vergeront, Julie <Vergeront.Julie@epa.gov>; Pavitt, John <Pavitt.John@epa.gov>  
**Subject:** Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability  
Hi Marcia, Laura, and Tom -

## Attorney Client / Deliberative Process / Ex. 5

# **Attorney Client / Deliberative Process / Ex. 5**

Lynne  
Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

Message

---

**From:** McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]  
**Sent:** 4/11/2017 12:35:59 AM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Perfect, thank you!

Lisa McArthur  
RCRA Corrective Action, Permits and PCB Manager  
Office of Air and Waste  
EPA Region 10  
(206) 553-1814  
mcarthur.lisa@epa.gov

---

**From:** Davies, Lynne  
**Sent:** Monday, April 10, 2017 3:48 PM  
**To:** Mia, Marcia <Mia.Marcia@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Martin, Thomas <martin.thomas@epa.gov>  
**Cc:** McArthur, Lisa <McArthur.Lisa@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>; Vergeront, Julie <Vergeront.Julie@epa.gov>; Pavitt, John <Pavitt.John@epa.gov>  
**Subject:** Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Marcia, Laura, and Tom -

Region 10 folks are wondering whether you could help us determine **Attorney Client / Deliberative Process / Ex. 5**

**Attorney Client / Deliberative Process / Ex. 5**

# **Attorney Client / Deliberative Process / Ex. 5**

Many thanks for your help! Please let me know if you'd like to discuss anything, and I can schedule a call with our Region 10 folks.

Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

Message

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**From:** Welles, Laura [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d12d5767a8634f48935d8aa59f93d4f6-Welles, Lau]  
**Sent:** 3/7/2018 8:41:19 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Yes – timing works great. I’m around the rest of the week if you want to catch up.

## Attorney Client / Deliberative Process / Ex. 5

Talk to you soon!

Laura

---

**From:** Davies, Lynne  
**Sent:** Wednesday, March 07, 2018 12:59 PM  
**To:** Welles, Laura <Welles.Laura@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Laura! Let’s catch up! I will call you later this week. Can’t wait to hear how you are doing...

## Attorney Client / Deliberative Process / Ex. 5

I hope this timing works for you?

Thanks!  
Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

---

**From:** Welles, Laura  
**Sent:** Wednesday, March 7, 2018 7:59 AM  
**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability



Hi Lynne!

I hope you're doing well! I was just in Colorado and it was great to be in the mountains skiing and breathing in some fresh mountain air ☺

## Attorney Client / Deliberative Process / Ex. 5

In the meantime, any info would be great.

Thanks,  
Laura

Laura Welles  
Attorney Advisor  
Waste and Chemical Enforcement Division  
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Tom –

## Attorney Client / Deliberative Process / Ex. 5

# Attorney Client / Deliberative Process / Ex. 5

David

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All-I've taken a longer look at Region 10's question

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Jim's initial response. By way of background, this is a group question from Region 10, and I somehow got on the list of responders. The questions mainly seem to be technical in nature, and I appreciate all of your input. Thanks again, Tom

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**Attorney Client / Deliberative Process / Ex. 5**

**Attorney Client / Deliberative Process / Ex. 5**

# Attorney Client / Deliberative Process / Ex. 5

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Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

Message

**From:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Sent:** 5/2/2017 3:19:33 PM  
**To:** Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]  
**CC:** Colon, Lilybeth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6ae6d0cc3f984b08b8101569a2cf6308-Colon, Lilybeth]; Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Welles, Laura [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d12d5767a8634f48935d8aa59f93d4f6-Welles, Lau]; Chang, Patrick [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=45068ffdd29e4ae699263be4219d70a0-Chang, Patrick]  
**Subject:** RE: Status of ORU mod - CWMNW

Hi Mike,

## Attorney Client / Deliberative Process / Ex. 5

We're still planning on a short call with you on May 9. If you could please email your thoughts or questions to us this week it would be helpful because the meeting is scheduled for only half hour. If you think we need more than a half-hour call then we can reschedule.

Heather and Lynne, please feel free to add anything.

Regards,  
Janette

Janette Knittel  
U.S. EPA Region 10  
Office of Air and Waste  
RCRA Corrective Action, Permits, and PCB Unit  
1200 6<sup>th</sup> Ave, Suite 900, OAW-150  
Seattle, WA 98101-3140  
206-553-0483  
[knittel.janette@epa.gov](mailto:knittel.janette@epa.gov)

---

**From:** Galbraith, Michael  
**Sent:** Tuesday, May 02, 2017 5:52 AM  
**To:** Valdez, Heather <Valdez.Heather@epa.gov>  
**Cc:** Knittel, Janette <Knittel.Janette@epa.gov>; Colon, Lilybeth <Colon.Lilybeth@epa.gov>  
**Subject:** RE: Status of ORU mod - CWMNW

### Personal Privacy / Ex. 6

Do you still need input from us on this issue? I assume yes but just want to make sure before I devote time to this.

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

(703) 605-0567

---

**From:** Valdez, Heather  
**Sent:** Monday, April 24, 2017 6:02 PM  
**To:** Galbraith, Michael <Galbraith.Michael@epa.gov>  
**Cc:** Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** FW: Status of ORU mod - CWMNW

Hi Mike, If you are available for a call tomorrow with the State of Oregon, regarding the TDU at a TSD, that would be wonderful.

**Personal Privacy / Ex. 6**

**Personal Privacy / Ex. 6**

12:30 PM Pacific

Call-in # **Personal Privacy / Ex. 6** Code **Personal Privacy / Ex. 6**

Thanks!

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



Message

---

**From:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Sent:** 4/25/2017 5:28:42 PM  
**To:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**Subject:** RE: Status of ORU mod - CWMNW

Hi. I cancelled the Birch room since I'm home and Heather said she was going to be home today too. If Heather is in the office and you two want the room let me know and I can rebook it.

-----Original Appointment-----

**From:** Knittel, Janette  
**Sent:** Monday, April 24, 2017 11:59 AM  
**To:** Knittel, Janette; Valdez, Heather; Davies, Lynne; Welles, Laura; DUVAL Rich  
**Subject:** Status of ORU mod - CWMNW  
**When:** Tuesday, April 25, 2017 12:30 PM-1:30 PM (UTC-08:00) Pacific Time (US & Canada).  
**Where:** R10Sea-ConfLineMM; Personal Phone / Ex. 6

Call-in # Personal Phone / Ex. 6

**Attorney Client / Deliberative Process / Ex. 5**

-Janette



Message

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**From:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Sent:** 5/3/2017 8:58:07 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**Subject:** RE: Status of ORU mod - CWMNW

OK, I should be in the office, so do you want to reserve a room and a MML? They can accommodate 6 callers. Call me if you need help with that. It can be tricky if you haven't reserved one before.

---

**From:** Davies, Lynne  
**Sent:** Wednesday, May 03, 2017 1:54 PM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** RE: Status of ORU mod - CWMNW

Thanks for letting me know. And, I'm good to go for Tuesday – I don't think I have to take time off. Will let you know if that changes.

---

**From:** Knittel, Janette  
**Sent:** Wednesday, May 3, 2017 1:53 PM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** FW: Status of ORU mod - CWMNW

Hey, Lynne. BTW, I'm going to be on A/L Friday and Monday, so I may not have a chance to review Mike's comments before our call Tuesday if he sends us anything.

-Janette

---

**From:** Galbraith, Michael  
**Sent:** Tuesday, May 02, 2017 8:58 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
**Cc:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>; Gerhard, Sasha <Gerhard.Sasha@epa.gov>  
**Subject:** RE: Status of ORU mod - CWMNW

I hope not – but can't say for sure till I get up to speed on the specifics (I'm still playing catch up)

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

(703) 605-0567

---

**From:** Davies, Lynne  
**Sent:** Tuesday, May 02, 2017 11:49 AM  
**To:** Galbraith, Michael <Galbraith.Michael@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
**Cc:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>; Welles, Laura

<Welles.Laura@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>

**Subject:** RE: Status of ORU mod - CWMNW

Thanks, Mike! We really appreciate all of your help.

## Attorney Client / Deliberative Process / Ex. 5

Many thanks!

Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

---

**From:** Galbraith, Michael

**Sent:** Tuesday, May 2, 2017 8:43 AM

**To:** Knittel, Janette <Knittel.Janette@epa.gov>

**Cc:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>

**Subject:** RE: Status of ORU mod - CWMNW

Roger that – I'll put more thought into this later this week and look at the facilities we have been recently dealing with on similar issues.

## Attorney Client / Deliberative Process / Ex. 5

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

(703) 605-0567

---

**From:** Knittel, Janette

**Sent:** Tuesday, May 02, 2017 11:20 AM

**To:** Galbraith, Michael <Galbraith.Michael@epa.gov>

**Cc:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>

**Subject:** RE: Status of ORU mod - CWMNW

Hi Mike,

# Attorney Client / Deliberative Process / Ex. 5

We're still planning on a short call with you on May 9. If you could please email your thoughts or questions to us this week it would be helpful because the meeting is scheduled for only half hour. If you think we need more than a half-hour call then we can reschedule.

Heather and Lynne, please feel free to add anything.

Regards,  
Janette

Janette Knittel  
U.S. EPA Region 10  
Office of Air and Waste  
RCRA Corrective Action, Permits, and PCB Unit  
1200 6<sup>th</sup> Ave, Suite 900, OAW-150  
Seattle, WA 98101-3140  
206-553-0483  
[knittel.janette@epa.gov](mailto:knittel.janette@epa.gov)

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**From:** Galbraith, Michael  
**Sent:** Tuesday, May 02, 2017 5:52 AM  
**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>  
**Cc:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Colon, Lilybeth <[Colon.Lilybeth@epa.gov](mailto:Colon.Lilybeth@epa.gov)>  
**Subject:** RE: Status of ORU mod - CWMNW

## Personal Privacy / Ex. 6

Do you still need input from us on this issue? I assume yes but just want to make sure before I devote time to this.

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

(703) 605-0567

---

**From:** Valdez, Heather  
**Sent:** Monday, April 24, 2017 6:02 PM  
**To:** Galbraith, Michael <[Galbraith.Michael@epa.gov](mailto:Galbraith.Michael@epa.gov)>  
**Cc:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Subject:** FW: Status of ORU mod - CWMNW

Hi Mike,

## Attorney Client / Deliberative Process / Ex. 5

# Attorney Client / Deliberative Process / Ex. 5

12:30 PM Pacific

Call-in # **Personal Phone / Ex. 6**

Thanks!

---

Heather Valdez

RCRA Project Manager, Chemical Engineer

RCRA Corrective Actions, Permits and PCBs Unit

Office of Air and Waste

EPA Region 10

1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101

(206) 553-6220

[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



Message

---

**From:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Sent:** 4/20/2017 9:25:22 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**Subject:** RE: subpart CC -- RCRA/CAA

Yes, that makes sense to me.

---

**From:** Davies, Lynne  
**Sent:** Thursday, April 20, 2017 2:24 PM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** RE: subpart CC -- RCRA/CAA

Hi! I haven't really, either. But, I think it is important to move forward on this issue because Mike Galbraith is out of the office all next week. Even if Heather is not available, we can ask some questions and then discuss with her next week. She could then ask more specific questions later. Is that ok?

---

**From:** Knittel, Janette  
**Sent:** Thursday, April 20, 2017 12:20 PM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** RE: subpart CC -- RCRA/CAA

Hi. I haven't been able to dive into this yet but yes I can be available 8:30 tomorrow and will do my best to catch up by then. Would you still want to have the call if Heather isn't available?

---

**From:** Davies, Lynne  
**Sent:** Thursday, April 20, 2017 11:57 AM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** FW: subpart CC -- RCRA/CAA

## Attorney Client / Deliberative Process / Ex. 5

I'm trying to get a conference line for a call starting tomorrow morning at 8:30 am pacific time with the HQ folks. That way, we can meet with Lisa afterwards and update her on the call.

---

**From:** Welles, Laura  
**Sent:** Thursday, April 20, 2017 10:53 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** subpart CC -- RCRA/CAA

Lynne,

First off -- sorry this email is so long -- I just wanted to get some info to you since you've been looking at a lot of RCRA-CAA overlap in the permitting context, etc.

## Attorney Client / Deliberative Process / Ex. 5

# **Attorney Client / Deliberative Process / Ex. 5**

I hope you have a good afternoon!

Laura

Laura Welles  
Attorney Advisor  
Waste and Chemical Enforcement Division  
Office of Civil Enforcement  
U.S. Environmental Protection Agency  
(202) 564-2754

**From:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**Sent:** 6/3/2017 12:06:03 AM  
**To:** Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**CC:** Fruitwala, Kishor [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7a19009ba86a4236b97131d5d16f2fae-Fruitwala, Kishor]; Bray, Dave [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d3581998cbde488fa426f7a5227cb914-Bray, Dave]  
**Subject:** RE: Thought that has occurred to me ..  
**Attachments:** 4-27-90

**Attorney Client / Deliberative Process / Ex. 5**

**Attorney Client / Deliberative Process / Ex. 5**

Have a good weekend.

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Galbraith, Michael  
**Sent:** Friday, June 02, 2017 3:42 PM  
**To:** Valdez, Heather <Valdez.Heather@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>  
**Cc:** Fruitwala, Kishor <Fruitwala.Kishor@epa.gov>; Bray, Dave <Bray.Dave@epa.gov>  
**Subject:** Re: Thought that has occurred to me ..

I think we need to talk this thru (this is too complicated, 4 me anyway, to do via email). I'll try to set something up next week.

**Attorney Client / Deliberative Process / Ex. 5**

# Attorney Client / Deliberative Process / Ex. 5

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

---

**From:** Valdez, Heather  
**Sent:** Friday, June 2, 2017 4:29 PM  
**To:** Galbraith, Michael; Knittel, Janette; Davies, Lynne  
**Cc:** Fruitwala, Kishor; Bray, Dave  
**Subject:** RE: Thought that has occurred to me ..

# Attorney Client / Deliberative Process / Ex. 5



# Attorney Client / Deliberative Process / Ex. 5

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
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1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Galbraith, Michael  
**Sent:** Friday, June 02, 2017 12:18 PM  
**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>  
**Cc:** Fruitwala, Kishor <[Fruitwala.Kishor@epa.gov](mailto:Fruitwala.Kishor@epa.gov)>; Bray, Dave <[Bray.Dave@epa.gov](mailto:Bray.Dave@epa.gov)>  
**Subject:** Re: Thought that has occurred to me ..

# Attorney Client / Deliberative Process / Ex. 5

# Attorney Client / Deliberative Process / Ex. 5

More to come

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

---

**From:** Valdez, Heather  
**Sent:** Friday, June 2, 2017 12:51 PM  
**To:** Knittel, Janette; Davies, Lynne  
**Cc:** Galbraith, Michael; Fruitwala, Kishor; Bray, Dave  
**Subject:** Thought that has occurred to me ..

# Attorney Client / Deliberative Process / Ex. 5

# **Attorney Client / Deliberative Process / Ex. 5**

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
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(206) 553-6220

[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



Message

---

**From:** Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]  
**Sent:** 6/2/2017 10:42:15 PM  
**To:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**CC:** Fruitwala, Kishor [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7a19009ba86a4236b97131d5d16f2fae-Fruitwala, Kishor]; Bray, Dave [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d3581998cbde488fa426f7a5227cb914-Bray, Dave]  
**Subject:** Re: Thought that has occurred to me ..

I think we need to talk this thru (this is too complicated, 4 me anyway, to do via email). I'll try to set something up next week.

## Attorney Client / Deliberative Process / Ex. 5

Anywho - I've been wrong many times before. I'll continue to think this thru.

## Attorney Client / Deliberative Process / Ex. 5

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

---

**From:** Valdez, Heather  
**Sent:** Friday, June 2, 2017 4:29 PM  
**To:** Galbraith, Michael; Knittel, Janette; Davies, Lynne  
**Cc:** Fruitwala, Kishor; Bray, Dave  
**Subject:** RE: Thought that has occurred to me ..

## Attorney Client / Deliberative Process / Ex. 5

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
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[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



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**From:** Galbraith, Michael  
**Sent:** Friday, June 02, 2017 12:18 PM  
**To:** Valdez, Heather <Valdez.Heather@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>  
**Cc:** Fruitwala, Kishor <Fruitwala.Kishor@epa.gov>; Bray, Dave <Bray.Dave@epa.gov>  
**Subject:** Re: Thought that has occurred to me ..

thanks heather. I'm not going to be able to respond to all your points in this email, and I'm going to need to talk to others in our group and do some more research to see the extent to which we discussed any of this in

# Attorney Client / Deliberative Process / Ex. 5

More to come

Mike Galbraith

Permits Branch (5303P)

Program Implementation/Information Division

Office of Resource Conservation and Recovery

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Washington, DC 20460

---

**From:** Valdez, Heather

**Sent:** Friday, June 2, 2017 12:51 PM

**To:** Knittel, Janette; Davies, Lynne

**Cc:** Galbraith, Michael; Fruitwala, Kishor; Bray, Dave

**Subject:** Thought that has occurred to me ..

# Attorney Client / Deliberative Process / Ex. 5

# Attorney Client / Deliberative Process / Ex. 5

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Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
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(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)





Message

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**From:** Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]  
**Sent:** 6/2/2017 9:56:04 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**Subject:** Re: Thought that has occurred to me ..

## Attorney Client / Deliberative Process / Ex. 5

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

---

**From:** Davies, Lynne  
**Sent:** Friday, June 2, 2017 4:22 PM  
**To:** Galbraith, Michael  
**Subject:** RE: Thought that has occurred to me ..

## Attorney Client / Deliberative Process / Ex. 5

Many thanks,  
Lynne

---

**From:** Galbraith, Michael  
**Sent:** Friday, June 2, 2017 12:18 PM  
**To:** Valdez, Heather <Valdez.Heather@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>  
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## Attorney Client / Deliberative Process / Ex. 5

# Attorney Client / Deliberative Process / Ex. 5

More to come

Mike Galbraith

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**Sent:** Friday, June 2, 2017 12:51 PM

**To:** Knittel, Janette; Davies, Lynne

**Cc:** Galbraith, Michael; Fruitwala, Kishor; Bray, Dave

**Subject:** Thought that has occurred to me ..

# Attorney Client / Deliberative Process / Ex. 5

# Attorney Client / Deliberative Process / Ex. 5

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Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



Message

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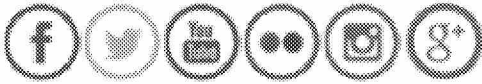
**From:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**Sent:** 6/2/2017 8:29:49 PM  
**To:** Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**CC:** Fruitwala, Kishor [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7a19009ba86a4236b97131d5d16f2fae-Fruitwala, Kishor]; Bray, Dave [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d3581998cbde488fa426f7a5227cb914-Bray, Dave]  
**Subject:** RE: Thought that has occurred to me ..  
**Attachments:** 7-29-94 Memo Boundary of Unit, footnote2 - Single Emission Point, Multi-Device Combust Unit.pdf

## Attorney Client / Deliberative Process / Ex. 5

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Heather Valdez  
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(206) 553-6220

[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Galbraith, Michael

**Sent:** Friday, June 02, 2017 12:18 PM

**To:** Valdez, Heather <Valdez.Heather@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>

**Cc:** Fruitwala, Kishor <Fruitwala.Kishor@epa.gov>; Bray, Dave <Bray.Dave@epa.gov>

**Subject:** Re: Thought that has occurred to me ..

## Attorney Client / Deliberative Process / Ex. 5

More to come

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division

ED\_002469\_00000370-00002

Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

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**From:** Valdez, Heather  
**Sent:** Friday, June 2, 2017 12:51 PM  
**To:** Knittel, Janette; Davies, Lynne  
**Cc:** Galbraith, Michael; Fruitwala, Kishor; Bray, Dave  
**Subject:** Thought that has occurred to me ..

**Attorney Client / Deliberative Process / Ex. 5**

# Attorney Client / Deliberative Process / Ex. 5

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Heather Valdez  
RCRA Project Manager, Chemical Engineer  
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(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



Message

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**From:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**Sent:** 6/5/2017 9:03:42 PM  
**To:** Atagi, Tracy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ebcfd670077440dfb63a691749f20af2-TATAGI]; Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]; Gerhard, Sasha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=409f48684eb4422cb13177fc9702d0fa-Gerhard, Sasha]; Behan, Frank [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b37b3a6d67644ad3bf5717d99610941e-FBEHAN]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**CC:** Kohler, Amanda [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=665a6cdd3371457fb03d5184f58f7a4a-Kohler, Amanda]; Young, Jessica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26404c78d3dc441f810ac723cf8f9d49-JBIEGELS]; Mia, Marcia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6590c44762d64ce28ab3d7a7fbb14673-MMia]  
**Subject:** RE: Thought that has occurred to me ..

**Attachments:**

**Attorney Client / Deliberative Process / Ex. 5**

**Attorney Client / Deliberative Process / Ex. 5**



# Attorney Client / Deliberative Process / Ex. 5

Thanks again so much for all of your help!

---

Heather Valdez  
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(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Atagi, Tracy  
**Sent:** Monday, June 05, 2017 7:11 AM  
**To:** Galbraith, Michael <Galbraith.Michael@epa.gov>; Gerhard, Sasha <Gerhard.Sasha@epa.gov>; Behan, Frank

<Behan.Frank@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>

Cc: Kohler, Amanda <Kohler.Amanda@epa.gov>; Young, Jessica <Young.Jessica@epa.gov>

**Subject:** Re: Thought that has occurred to me ..

Thanks, Mike. Yes, you're right that RCRA gives us jurisdiction over uncontained gases from waste management units at TSDFs - 3004u gives us that authority.

---

**From:** Galbraith, Michael

**Sent:** Monday, June 5, 2017 10:02 AM

**To:** Atagi, Tracy; Gerhard, Sasha; Behan, Frank; Valdez, Heather

**Cc:** Kohler, Amanda; Young, Jessica

**Subject:** Re: Thought that has occurred to me ..

yep - a different way to look at this but we definitely need to consider all angles.

## Attorney Client / Deliberative Process / Ex. 5

Mike Galbraith

Permits Branch (5303P)

Program Implementation/Information Division

Office of Resource Conservation and Recovery

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW

Washington, DC 20460

---

**From:** Atagi, Tracy

**Sent:** Monday, June 5, 2017 8:52 AM

**To:** Gerhard, Sasha; Behan, Frank; Galbraith, Michael; Valdez, Heather

**Cc:** Kohler, Amanda; Young, Jessica

**Subject:** Re: Thought that has occurred to me ..

The only thing I have to add for everyone's consideration are thoughts on the RCRA policy and jurisdictional issues, (as opposed to the technical/engineering issues).

## Attorney Client / Deliberative Process / Ex. 5

# Attorney Client / Deliberative Process / Ex. 5

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**From:** Gerhard, Sasha  
**Sent:** Monday, June 5, 2017 7:11 AM  
**To:** Behan, Frank; Galbraith, Michael; Valdez, Heather  
**Cc:** Kohler, Amanda; Atagi, Tracy  
**Subject:** Re: Thought that has occurred to me ..

Hi all,

Just my 2 cents quickly. (I spent an hour typing up a response only to have Explorer freeze up and not auto save my work - beyond annoyed!!)

I agree with the points in Frank's email.

# Attorney Client / Deliberative Process / Ex. 5

## Attorney Client / Deliberative Process / Ex. 5

Sasha

---

**From:** Behan, Frank  
**Sent:** Saturday, June 3, 2017 2:44:19 PM  
**To:** Galbraith, Michael; Atagi, Tracy; Gerhard, Sasha  
**Cc:** Kohler, Amanda  
**Subject:** RE: Thought that has occurred to me ..

I read thru this email chain once and here's an initial reaction. I share this recognizing that I may not fully appreciate Heather's points, so I agree with Mike's idea that a meeting may be useful. To be clear, I don't yet have access to the attachments to Heather's emails, so I have not reviewed them.

## Attorney Client / Deliberative Process / Ex. 5

# Attorney Client / Deliberative Process / Ex. 5

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**From:** Galbraith, Michael

**Sent:** Friday, June 02, 2017 6:46 PM

**To:** Behan, Frank <Behan.Frank@epa.gov>; Atagi, Tracy <Atagi.Tracy@epa.gov>; Gerhard, Sasha <Gerhard.Sasha@epa.gov>

**Cc:** Kohler, Amanda <Kohler.Amanda@epa.gov>

**Subject:** Fw: Thought that has occurred to me ..

arghhhhh.....

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

---

**From:** Galbraith, Michael

**Sent:** Friday, June 2, 2017 6:42 PM

**To:** Valdez, Heather; Knittel, Janette; Davies, Lynne

**Cc:** Fruitwala, Kishor; Bray, Dave

**Subject:** Re: Thought that has occurred to me ..

I think we need to talk this thru (this is too complicated, 4 me anyway, to do via email). I'll try to set something up next week.

## **Attorney Client / Deliberative Process / Ex. 5**

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

---

**From:** Valdez, Heather  
**Sent:** Friday, June 2, 2017 4:29 PM  
**To:** Galbraith, Michael; Knittel, Janette; Davies, Lynne  
**Cc:** Fruitwala, Kishor; Bray, Dave  
**Subject:** RE: Thought that has occurred to me ..

## **Attorney Client / Deliberative Process / Ex. 5**

# Attorney Client / Deliberative Process / Ex. 5

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Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
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1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Galbraith, Michael  
**Sent:** Friday, June 02, 2017 12:18 PM  
**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>  
**Cc:** Fruitwala, Kishor <[Fruitwala.Kishor@epa.gov](mailto:Fruitwala.Kishor@epa.gov)>; Bray, Dave <[Bray.Dave@epa.gov](mailto:Bray.Dave@epa.gov)>  
**Subject:** Re: Thought that has occurred to me ..

# Attorney Client / Deliberative Process / Ex. 5

# Attorney Client / Deliberative Process / Ex. 5

More to come

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

---

**From:** Valdez, Heather  
**Sent:** Friday, June 2, 2017 12:51 PM  
**To:** Knittel, Janette; Davies, Lynne  
**Cc:** Galbraith, Michael; Fruitwala, Kishor; Bray, Dave  
**Subject:** Thought that has occurred to me ..

# Attorney Client / Deliberative Process / Ex. 5



# **Attorney Client / Deliberative Process / Ex. 5**

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Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
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1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



Message

---

**From:** Davies, Lynne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=169EB6CBDEBB4CAF85F76390B8AB2674-LDAVIE12]  
**Sent:** 5/11/2017 3:44:58 PM  
**To:** Matthews, Julie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7053a5f530944120bfe765ca4d8cbe0d-Matthews. Julie]  
**Subject:** RE: Thursday check in

Personal Privacy / Ex. 6

Attorney Client / Deliberative Process / Ex. 5

## Attorney Client / Deliberative Process / Ex. 5

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**From:** Matthews, Julie  
**Sent:** Wednesday, May 10, 2017 4:59 PM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** Thursday check in

Personal Privacy / Ex. 6

I have a conflict at 10:00 tomorrow—could we move our meeting until 1:00?  
Thanks

Juliane Matthews, Manager  
Office of Regional Counsel, Unit 1  
U.S. Environmental Protection Agency- Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-1169  
[matthews.juliane@epa.gov](mailto:matthews.juliane@epa.gov)

Message

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**From:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Sent:** 4/27/2017 5:55:23 PM  
**To:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**Subject:** RE: Tradebe Discussion

## Attorney Client / Deliberative Process / Ex. 5

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**From:** Valdez, Heather  
**Sent:** Thursday, April 27, 2017 10:36 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** RE: Tradebe Discussion

## Attorney Client / Deliberative Process / Ex. 5

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Davies, Lynne  
**Sent:** Thursday, April 27, 2017 10:27 AM  
**To:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>  
**Subject:** FW: Tradebe Discussion

# Attorney Client / Deliberative Process / Ex. 5

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**From:** Galbraith, Michael  
**Sent:** Friday, April 21, 2017 9:44 AM  
**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>  
**Subject:** Fw: Tradebe Discussion

I may not have included everyone on this email - pls forward on

imbedded in these files should be stuff on the 2 chem waste management facilities. I think ETC's letter references 2 cwm sites in region 6, and the fbh memos, and r6's letters address issues related to cwm facilities (but I don't think they specifically discusses them

more to come - still looking for that email to verify we have been talking about the same facility

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

---

**From:** Lee, Jae  
**Sent:** Tuesday, April 4, 2017 2:59 PM  
**To:** Lee, Jae; Valentino, Michael; Victorine, Gary; Setnicar, Mary; Chow, Kevin; Galbraith, Michael; Fruitwala, Kishor; Tidmore, Guy; Atagi, Tracy; Shah, Harry; Cunningham, Michael; R5LCD-ConfCallLine-RCRA/Conference-Call-Line/R5-LCD  
**Cc:** Young, Jessica; Behan, Frank  
**Subject:** Tradebe Discussion

**When:** Monday, April 17, 2017 12:00 PM-1:00 PM.

**Where:** 1712

It seems that April 17, 11:00am, CDT is a best time for all. Kishor might be conflict for 15 minutes. I hope he can join us a little late.

Please use

With code of

Conference room #1712B is reserved for Region 5 staffs

Message

**From:** Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]  
**Sent:** 6/7/2017 3:27:42 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Subject:** RE: update from R10 on Chem Waste ORU

Thanks! We are to the point where I'm starting to put pen to paper to develop briefing material for our DDs here in ORCR, which will likely turn into a briefing for our OD.

## Attorney Client / Deliberative Process / Ex. 5

I'll try to keep you all in the loop as those briefing materials are developed.

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

(703) 605-0567

---

**From:** Davies, Lynne  
**Sent:** Wednesday, June 07, 2017 11:14 AM  
**To:** Galbraith, Michael <Galbraith.Michael@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** RE: update from R10 on Chem Waste ORU

Thanks again, Mike, for all of your help! And no, no one was offended by the debate between RCRA and air folks, so please don't worry. There are many knowledgeable folks from HQ and the Regions on these types of issues, so it is really important to hear everyone's concerns and interpretations. And, this is a complicated issue – if there was an easy answer, I'm sure we would have figured it out by now!

Many thanks!  
Lynne

---

**From:** Galbraith, Michael  
**Sent:** Wednesday, June 7, 2017 4:07 AM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>  
**Cc:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** RE: update from R10 on Chem Waste ORU

Sounds good. I think waiting a bit to schedule a conference call will be best – I think we understand the issues and

## Attorney Client / Deliberative Process / Ex. 5

# Attorney Client / Deliberative Process / Ex. 5

Mike Galbraith  
Permits Branch (5303P)  
Program Implementation/Information Division  
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U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

(703) 605-0567

---

**From:** Knittel, Janette  
**Sent:** Tuesday, June 06, 2017 8:07 PM  
**To:** Galbraith, Michael <[Galbraith.Michael@epa.gov](mailto:Galbraith.Michael@epa.gov)>  
**Cc:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>  
**Subject:** update from R10 on Chem Waste ORU

# Attorney Client / Deliberative Process / Ex. 5

I'll be out of the office until Tuesday, June 13. Let me know if you have questions about this email. If you have questions before I'm back then I'm sure Lynne would be happy to answer them for you.

Thanks,  
Janette

Janette Knittel  
U.S. EPA Region 10  
Office of Air and Waste  
RCRA Corrective Action, Permits, and PCB Unit  
1200 6<sup>th</sup> Ave, Suite 900, OAW-150  
Seattle, WA 98101-3140  
206-553-0483  
[knittel.janette@epa.gov](mailto:knittel.janette@epa.gov)



Message

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**From:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Sent:** 4/6/2017 7:42:58 PM  
**To:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**CC:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]  
**Subject:** RE: Updated better organized version - RE: My desorber w/afterburner applicability notes  
**Attachments:** Thermal Treatment Applicability for Chem Waste.docx

Thanks, Heather. Any additional clarity is helpful! Has your contractor Tim finished his assessment, and has he given you

**Attorney Client / Deliberative Process / Ex. 5**

-Janette

---

**From:** Valdez, Heather  
**Sent:** Thursday, April 06, 2017 12:34 PM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Tim Oliver <Timothy.Oliver@akana.us>  
**Subject:** Updated better organized version - RE: My desorber w/afterburner applicability notes  
**Importance:** High

When we met, Lisa mentioned that she had given me some comments on this right before we met. I hadn't quite finished those up and some bits were not in the best order to follow my thought pattern I realized.

**Attorney Client / Deliberative Process / Ex. 5**

Hopefully this helps

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Valdez, Heather

**Sent:** Tuesday, April 04, 2017 2:20 PM

**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>

**Subject:** My desorber w/afterburner applicability notes

Here are my notes and the 2014 letter I found from Linda

---

Heather Valdez

RCRA Project Manager, Chemical Engineer

RCRA Corrective Actions, Permits and PCBs Unit

Office of Air and Waste

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1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101

(206) 553-6220

[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



Message

---

**From:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Sent:** 6/29/2017 6:05:20 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**Subject:** RE: US Ecology Idaho permit concerns

Hi Lynne. If you want to prepare for this meeting (besides looking at Dave's comments in the attachment to the invite),

**Attorney Client / Deliberative Process / Ex. 5**

opportunity as is Heather.

-Janette

-----Original Appointment-----

**From:** Davies, Lynne

**Sent:** Thursday, June 29, 2017 11:00 AM

**To:** Knittel, Janette

**Subject:** Accepted: US Ecology Idaho permit concerns

**When:** Friday, July 07, 2017 2:30 PM-3:30 PM (UTC-08:00) Pacific Time (US & Canada)

**Where:** R10Sea-Room-15Alder/R10-Rooms-Service-Center; R10Sea-ConfLineMM **Personal Phone / Ex. 6**

Message

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**From:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Sent:** 7/13/2017 8:58:27 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**Subject:** recap of meeting with Don re: CWM ORU-2 (and a request)  
**Attachments:** 17 06 06 Chem Waste Don Dossett Memo v2.docx

Hi Lynne,

## Attorney Client / Deliberative Process / Ex. 5

My question/request for you is **Attorney Client / Deliberative Process / Ex. 5**

## Attorney Client / Deliberative Process / Ex. 5

Thanks,  
Janette

Janette Knittel  
U.S. EPA Region 10  
Office of Air and Waste  
RCRA Corrective Action, Permits, and PCB Unit  
1200 Sixth Ave, Suite 900, OAW-150  
Seattle, WA 98101  
206-553-0483  
[knittel.janette@epa.gov](mailto:knittel.janette@epa.gov)

Message

---

**From:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**Sent:** 6/2/2017 4:51:14 PM  
**To:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**CC:** Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]; Fruitwala, Kishor [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7a19009ba86a4236b97131d5d16f2fae-Fruitwala, Kishor]; Bray, Dave [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d3581998cbde488fa426f7a5227cb914-Bray, Dave]  
**Subject:** Thought that has occurred to me ..

**Attachments:** **Attorney Client / Deliberative Process / Ex. 5**

**Attorney Client / Deliberative Process / Ex. 5**

# Attorney Client / Deliberative Process / Ex. 5

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



Message

---

**From:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**Sent:** 4/6/2017 7:33:43 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; Tim Oliver [Timothy.Oliver@akana.us]  
**Subject:** Updated better organized version - RE: My desorber w/afterburner applicability notes  
**Attachments:** Thermal Treatment Applicability for Chem Waste.docx  
  
**Importance:** High

## Attorney Client / Deliberative Process / Ex. 5

Hopefully this helps

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
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EPA Region 10  
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(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Valdez, Heather  
**Sent:** Tuesday, April 04, 2017 2:20 PM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** My desorber w/afterburner applicability notes

Here are my notes and the 2014 letter I found from Linda

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer

RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)





Message

---

**From:** Valdez, Heather [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EB323347294D44009A369C3576798BDF-VALDEZ, HEATHER]  
**Sent:** 3/19/2018 11:02:37 PM  
**To:** Timothy.Oliver@akana.us  
**CC:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**Subject:** When can you be available asap for a call about Chem Waste Comments

## Attorney Client / Deliberative Process / Ex. 5

Let me know when we can talk, if it works out I may try and have the project manager for this site and the attorney on the call too. Or it would be great if you can just give me a call too, whenever that works for you, I am available early and late most days this week and I am open most of the time.

Thanks Tim!

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer

RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



Message

---

**From:** Narvaez, Madonna [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=57685582AEFD40D6B567301482F5DBD6-NARVAEZ, MADONNA]  
**Sent:** 3/8/2017 6:03:15 PM  
**To:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Pavitt, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31d144be2f8043a2b6de245e1706134a-Pavitt, John]  
**Subject:** RE: Hi. Got your voicemail...

Thanks, Janette. Let me know when you need some more help.

Senior Air Toxics Advisor  
[Narvaez.madonna@epa.gov](mailto:Narvaez.madonna@epa.gov)  
US Environmental Protection Agency  
1200 Sixth Avenue, Suite 900  
MC: OAW-150  
Seattle, WA 98101  
206.553.2117

[U.S. EPA Region 10 \(@EPAnorthwest\) | Twitter](https://twitter.com/EPAnorthwest)  
<https://twitter.com/EPAnorthwest>

---

**From:** Knittel, Janette  
**Sent:** Wednesday, March 08, 2017 7:59 AM  
**To:** Narvaez, Madonna <[Narvaez.Madonna@epa.gov](mailto:Narvaez.Madonna@epa.gov)>; Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Pavitt, John <[Pavitt.John@epa.gov](mailto:Pavitt.John@epa.gov)>  
**Subject:** RE: Hi. Got your voicemail...

Madonna,  
The facility is not a refinery – it's a TSD that accepts refinery waste and many other waste streams. Heather and I need to talk with the DEQ permit writer to get more information before you or the Air folks can help us figure this out. We need to learn more about the non-refinery waste the facility would put through in the organic recovery unit. We'll gather more info then get back to you.  
Thanks,  
Janette

---

**From:** Narvaez, Madonna  
**Sent:** Tuesday, March 07, 2017 1:08 PM  
**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Pavitt, John <[Pavitt.John@epa.gov](mailto:Pavitt.John@epa.gov)>  
**Cc:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Subject:** RE: Hi. Got your voicemail...  
**Importance:** High

Janette, can we talk about this? I am not aware of any refineries in Oregon, so I don't really understand what is going on here or what your question is. I will be working at home tomorrow and will be back in the office on Thursday and am really booked today. Thanks!

Senior Air Toxics Advisor  
[Narvaez.madonna@epa.gov](mailto:Narvaez.madonna@epa.gov)  
US Environmental Protection Agency  
1200 Sixth Avenue, Suite 900  
MC: OAW-150  
Seattle, WA 98101  
206.553.2117

U.S. EPA Region 10 (@EPAnorthwest) | Twitter  
<https://twitter.com/EPAnorthwest>

---

**From:** Valdez, Heather  
**Sent:** Tuesday, March 07, 2017 1:00 PM  
**To:** Narvaez, Madonna <[Narvaez.Madonna@epa.gov](mailto:Narvaez.Madonna@epa.gov)>; Pavitt, John <[Pavitt.John@epa.gov](mailto:Pavitt.John@epa.gov)>  
**Cc:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Subject:** FW: Hi. Got your voicemail...

Hi Madonna, here is some brief info about the situation that we might need some assistance from the air program on.  
John, (Hi ☺) I thought maybe there is potential you have come across this question too given all the oil and gas up there.

## Attorney Client / Deliberative Process / Ex. 5

Janette, our contact to include would generally be Madonna for this facility because it is in Oregon. But John, who is in Alaska Ops Office might have some experience, so we'll see if he would be good to include in this discussion.

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



**From:** Valdez, Heather  
**Sent:** Tuesday, March 07, 2017 12:34 PM  
**To:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Katharine Owens (<[Owens.Katharine@epa.gov](mailto:Owens.Katharine@epa.gov)>  
<[Owens.Katharine@epa.gov](mailto:Owens.Katharine@epa.gov)>  
**Cc:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>  
**Subject:** RE: Hi. Got your voicemail...

## Attorney Client / Deliberative Process / Ex. 5

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



**From:** Knittel, Janette  
**Sent:** Tuesday, March 07, 2017 12:11 PM  
**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>  
**Subject:** Hi. Got your voicemail...

### Personal Privacy / Ex. 6

I'll contact Rich tomorrow to set up a call for maybe Thursday or Friday? Shall I include Katie?

Janette Knittel  
U.S. EPA Region 10  
Office of Air and Waste  
RCRA Corrective Action, Permits, and PCB Unit  
1200 6<sup>th</sup> Ave, Suite 900, OAW-150  
Seattle, WA 98101-3140  
206-553-0483  
[knittel.janette@epa.gov](mailto:knittel.janette@epa.gov)

Message

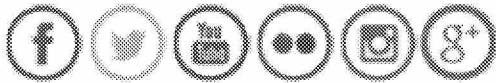
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**From:** Valdez, Heather [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EB323347294D44009A369C3576798BDF-VALDEZ, HEATHER]  
**Sent:** 3/16/2017 12:32:19 AM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Subject:** RE: Organic Recovery Unit at Chem Waste

Thanks Lynne, see my responses below

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Davies, Lynne  
**Sent:** Wednesday, March 15, 2017 2:27 PM  
**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Subject:** RE: Organic Recovery Unit at Chem Waste

Hi Heather and Janette – thanks for the permits and standalone documents, as well as this assessment!

I may have found some answers to your questions, Heather:

## Attorney Client / Deliberative Process / Ex. 5

# **Attorney Client / Deliberative Process / Ex. 5**

Thanks!  
Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

---

**From:** Valdez, Heather  
**Sent:** Wednesday, March 15, 2017 11:09 AM  
**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Subject:** RE: Organic Recovery Unit at Chem Waste

## Attorney Client / Deliberative Process / Ex. 5

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Davies, Lynne  
**Sent:** Wednesday, March 15, 2017 10:36 AM  
**To:** Matthews, Julie <[Matthews.Juliane@epa.gov](mailto:Matthews.Juliane@epa.gov)>; McArthur, Lisa <[McArthur.Lisa@epa.gov](mailto:McArthur.Lisa@epa.gov)>; Knittel, Janette



<Knittel.Janette@epa.gov>

Cc: Valdez, Heather <Valdez.Heather@epa.gov>

Subject: RE: Organic Recovery Unit at Chem Waste

I'm going to look more into this in detail. We had a call with Rich Duval at ODEQ this week and he provided us with facts about the unit. I missed the first 15 min of the meeting, so I am going to check in with Janette and Heather about what I missed, and get back to you all soon with an answer.

Thanks!

Lynne

---

From: Matthews, Julie

Sent: Wednesday, March 15, 2017 10:28 AM

To: McArthur, Lisa <McArthur.Lisa@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>

Cc: Valdez, Heather <Valdez.Heather@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>

Subject: RE: Organic Recovery Unit at Chem Waste

## Attorney Client / Deliberative Process / Ex. 5

Juliane Matthews, Manager

Office of Regional Counsel, Unit 1

U.S. Environmental Protection Agency- Region 10

1200 Sixth Avenue, Suite 900, ORC -113

Seattle, WA 98101

(206) 553-1169

[matthews.juliane@epa.gov](mailto:matthews.juliane@epa.gov)

---

From: McArthur, Lisa

Sent: Wednesday, March 15, 2017 9:33 AM

To: Matthews, Julie <Matthews.Juliane@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>

Cc: Valdez, Heather <Valdez.Heather@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>

Subject: RE: Organic Recovery Unit at Chem Waste

## Attorney Client / Deliberative Process / Ex. 5

Lisa

Lisa McArthur

RCRA Corrective Action, Permits and PCB Manager

Office of Air and Waste

EPA Region 10

(206) 553-1814

[mcarthur.lisa@epa.gov](mailto:mcarthur.lisa@epa.gov)

---

**From:** Matthews, Julie  
**Sent:** Tuesday, March 07, 2017 5:16 PM  
**To:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Cc:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>; McArthur, Lisa <[McArthur.Lisa@epa.gov](mailto:McArthur.Lisa@epa.gov)>  
**Subject:** Re: Organic Recovery Unit at Chem Waste

## Attorney Client / Deliberative Process / Ex. 5

Thanks  
Julie M

Sent from my iPhone

On Mar 7, 2017, at 11:51 AM, Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)> wrote:

Heather, if you don't mind I'd like to be part of your conversation with Rich for my own learning purposes. Tomorrow I'll work to set up a call with him (I'm signing off soon for today). You may find it

## Attorney Client / Deliberative Process / Ex. 5

-Janette

---

**From:** Valdez, Heather  
**Sent:** Monday, March 06, 2017 3:40 PM  
**To:** McArthur, Lisa <[McArthur.Lisa@epa.gov](mailto:McArthur.Lisa@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Cc:** Matthews, Julie <[Matthews.Juliane@epa.gov](mailto:Matthews.Juliane@epa.gov)>; Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>  
**Subject:** RE: Organic Recovery Unit at Chem Waste

## Attorney Client / Deliberative Process / Ex. 5

## Attorney Client / Deliberative Process / Ex. 5

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
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(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)

<image008.jpg> <image012.jpg> <image016.jpg> <image019.jpg> <image021.jpg> <image023.jpg>

**From:** McArthur, Lisa  
**Sent:** Monday, March 06, 2017 2:43 PM  
**To:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>  
**Cc:** Matthews, Julie <[Matthews.Juliane@epa.gov](mailto:Matthews.Juliane@epa.gov)>  
**Subject:** Organic Recovery Unit at Chem Waste

## Attorney Client / Deliberative Process / Ex. 5

Just let me know what you decide to do, thanks,

Lisa

Lisa McArthur  
RCRA Corrective Action, Permits and PCB Manager  
Office of Air and Waste  
EPA Region 10  
(206) 553-1814  
[mcarthur.lisa@epa.gov](mailto:mcarthur.lisa@epa.gov)

**From:** DRUBACK Lissa [<mailto:liisa.druback@state.or.us>]  
**Sent:** Wednesday, March 01, 2017 5:05 PM  
**To:** McArthur, Lisa <[McArthur.Lisa@epa.gov](mailto:McArthur.Lisa@epa.gov)>  
**Cc:** PUCHY Barb <[barb.puchy@state.or.us](mailto:barb.puchy@state.or.us)>; MASON Bill <[bill.mason@state.or.us](mailto:bill.mason@state.or.us)>; DUSO Dan

<[dan.duso@state.or.us](mailto:dan.duso@state.or.us)>; DRUBACK Lissa <[lissa.druback@state.or.us](mailto:lissa.druback@state.or.us)>; DUVAL Rich  
<[rich.duval@state.or.us](mailto:rich.duval@state.or.us)>

**Subject:** RE: CWMNW

Thanks Lisa for getting Bernie's time. That is great. We will make sure we contact Janette early and get an estimate of a good turnaround time on the ASD review report.

As for the ORU, Rich will provide an explanation, when he sends his questions, on why DEQ does not think the new unit needs to be permitted as an incinerator.

---

**From:** McArthur, Lisa [<mailto:McArthur.Lisa@epa.gov>]

**Sent:** Wednesday, March 01, 2017 1:56 PM

**To:** DRUBACK Lissa <[lissa.druback@state.or.us](mailto:lissa.druback@state.or.us)>

**Cc:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>

**Subject:** CWMNW

Lissa

Good news, Bernie can be involved in the ChemWaste work! Lee Thomas, an experienced hydrogeologist from Region 4, who is transferring out here, will be the lead, but Bernie will work with him on the project. Just want to let you know that it might be difficult for our hydrogeologists to meet the two-week turnaround time, since Lee is house-hunting in March.

Also, I understand that Rich Duvall will be sending us some questions in writing on the ORU; please include in those questions **Attorney Client / Deliberative Process / Ex. 5**

Thank you,

Lisa

Lisa McArthur

RCRA Corrective Action, Permits and PCB Manager

Office of Air and Waste

EPA Region 10

(206) 553-1814

[mcarthur.lisa@epa.gov](mailto:mcarthur.lisa@epa.gov)

Message

**From:** Knittel, Janette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A955F914E8D34CB19B6F63AC60707D32-KNITTEL, JANETTE]  
**Sent:** 3/30/2017 5:06:22 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]  
**Subject:** RE: Air and RCRA Relationship - Internal Deliberative

Hi, Ladies. I've asked Rich for the draft mod a few times now and will call him today. Yes, please continue to look into this. We need to make sure we understand this issue and get it straight because:

Attorney Client / Deliberative Process / Ex. 5

**Attorney Client / Deliberative Process / Ex. 5**

-Janette

---

**From:** Davies, Lynne  
**Sent:** Thursday, March 30, 2017 9:15 AM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>; McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Subject:** RE: Air and RCRA Relationship - Internal Deliberative

I am also digging through this, still – it is quite complex. Is there a reason Rich may have not provided the draft mod? Or did he just forget?

Many thanks,  
Lynne

---

**From:** Knittel, Janette  
**Sent:** Wednesday, March 29, 2017 5:05 PM  
**To:** Valdez, Heather <Valdez.Heather@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Subject:** RE: Air and RCRA Relationship - Internal Deliberative

Heather,

**Attorney Client / Deliberative Process / Ex. 5**

We can all talk about this next week at the meeting Lisa set up.

Also, I think before we get too much further into this issue we need to see the draft permit mod from Rich at DEQ so that we can be sure we are evaluating the right technology. At this point I don't understand the

detailed differences between the ORU-1 and ORU-2. But I know they are separate units and we should be focusing entirely on the new ORU-2 because the ORU-1 will be going away.

Janette

---

**From:** Valdez, Heather

**Sent:** Monday, March 27, 2017 12:50 PM

**To:** Tim Oliver <[Timothy.Oliver@akana.us](mailto:Timothy.Oliver@akana.us)>; Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>

**Subject:** RE: Air and RCRA Relationship - Internal Deliberative

## Attorney Client / Deliberative Process / Ex. 5

Lynne, Tim, am I missing something? Can you guess as to why this was not straight forward and clear when it was first permitted?

---

Heather Valdez

RCRA Project Manager, Chemical Engineer

RCRA Corrective Actions, Permits and PCBs Unit

Office of Air and Waste

EPA Region 10

1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101

(206) 553-6220

[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Tim Oliver [mailto:Timothy.Oliver@akana.us]  
**Sent:** Monday, March 27, 2017 10:40 AM  
**To:** Valdez, Heather <Valdez.Heather@epa.gov>  
**Subject:** RE: Air and RCRA Relationship - Internal Deliberative

**Personal Privacy / Ex. 6** so it will probably next Monday/Tuesday before I can really get in to this and give you a proper response.

---

**From:** Valdez, Heather [mailto:Valdez.Heather@epa.gov]  
**Sent:** Thursday, March 23, 2017 1:51 PM  
**To:** Davies, Lynne; Tim Oliver; Obbink, Elizabeth [USA]  
**Cc:** Knittel, Janette  
**Subject:** Air and RCRA Relationship - Internal Deliberative

Internal Deliberative

**Attorney Client / Deliberative Process / Ex. 5**

# **Attorney Client / Deliberative Process / Ex. 5**



## Attorney Client / Deliberative Process / Ex. 5

Eager to hear others thoughts about this.

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



Message

---

**From:** Knittel, Janette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A955F914E8D34CB19B6F63AC60707D32-KNITTEL, JANETTE]  
**Sent:** 3/30/2017 5:11:34 PM  
**To:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]  
**Subject:** RE: Air and RCRA Relationship - Internal Deliberative

## Attorney Client / Deliberative Process / Ex. 5

We should all continue to do our own research and talk about this with Lisa on Tuesday.

-Janette

---

**From:** Valdez, Heather  
**Sent:** Wednesday, March 29, 2017 6:40 PM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Subject:** RE: Air and RCRA Relationship - Internal Deliberative

## Attorney Client / Deliberative Process / Ex. 5

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10

1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Knittel, Janette  
**Sent:** Wednesday, March 29, 2017 5:05 PM  
**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>; McArthur, Lisa <[McArthur.Lisa@epa.gov](mailto:McArthur.Lisa@epa.gov)>  
**Subject:** RE: Air and RCRA Relationship - Internal Deliberative

Heather,

## Attorney Client / Deliberative Process / Ex. 5

We can all talk about this next week at the meeting Lisa set up.

Also, I think before we get too much further into this issue we need to see the draft permit mod from Rich at DEQ so that we can be sure we are evaluating the right technology. At this point I don't understand the detailed differences between the ORU-1 and ORU-2. But I know they are separate units and we should be focusing entirely on the new ORU-2 because the ORU-1 will be going away.

Janette

---

**From:** Valdez, Heather  
**Sent:** Monday, March 27, 2017 12:50 PM  
**To:** Tim Oliver <[Timothy.Oliver@akana.us](mailto:Timothy.Oliver@akana.us)>; Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Subject:** RE: Air and RCRA Relationship - Internal Deliberative

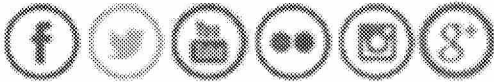
## Attorney Client / Deliberative Process / Ex. 5

# Attorney Client / Deliberative Process / Ex. 5

Lynne, Tim, am I missing something? Can you guess as to why this was not straight forward and clear when it was first permitted?

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Tim Oliver [<mailto:Timothy.Oliver@akana.us>]  
**Sent:** Monday, March 27, 2017 10:40 AM  
**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>  
**Subject:** RE: Air and RCRA Relationship - Internal Deliberative

I'm on spring break this week, so it will probably next Monday/Tuesday before I can really get in to this and give you a proper response.

---

**From:** Valdez, Heather [<mailto:Valdez.Heather@epa.gov>]  
**Sent:** Thursday, March 23, 2017 1:51 PM  
**To:** Davies, Lynne; Tim Oliver; Obbink, Elizabeth [USA]  
**Cc:** Knittel, Janette  
**Subject:** Air and RCRA Relationship - Internal Deliberative

Internal Deliberative

Hi Lynne and Janette, so I also have contractor support that I can access to help think about this question. The contractor whom I am working with on combustion type questions has looked at this facility in the past too. So that is great.

Hi Libby, I need to give Tim another task, this is for a different facility, Chem Waste in OR. I need his review and feedback on the questions I have put together below.

# **Attorney Client / Deliberative Process / Ex. 5**

# **Attorney Client / Deliberative Process / Ex. 5**

# Attorney Client / Deliberative Process / Ex. 5

Eager to hear others thoughts about this.

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



Message

---

**From:** Knittel, Janette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A955F914E8D34CB19B6F63AC60707D32-KNITTEL, JANETTE]  
**Sent:** 3/31/2017 10:56:53 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**Subject:** RE: Air and RCRA Relationship - Internal Deliberative  
**Attachments:** SA 22 Draft Clean.docx

Hi. Rich Duval at DEQ sent me the attached draft Standalone 22 for the ORU permit modification. He didn't send any drafts of the actual permit language. Keep in mind that this is draft and he said it will change.

-Janette

---

**From:** Knittel, Janette  
**Sent:** Thursday, March 30, 2017 10:06 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>; McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Subject:** RE: Air and RCRA Relationship - Internal Deliberative

Hi, Ladies. I've asked Rich for the draft mod a few times now and will call him today. Yes, please continue to look into this. We need to make sure we understand this issue and get it straight because,

Attorney Client / Deliberative Process / Ex. 5

Attorney Client / Deliberative Process / Ex. 5

-Janette

---

**From:** Davies, Lynne  
**Sent:** Thursday, March 30, 2017 9:15 AM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>; McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Subject:** RE: Air and RCRA Relationship - Internal Deliberative

I am also digging through this, still – it is quite complex. Is there a reason Rich may have not provided the draft mod? Or did he just forget?

Many thanks,  
Lynne

---

**From:** Knittel, Janette  
**Sent:** Wednesday, March 29, 2017 5:05 PM  
**To:** Valdez, Heather <Valdez.Heather@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Subject:** RE: Air and RCRA Relationship - Internal Deliberative

**Attorney Client / Deliberative Process / Ex. 5**



# Attorney Client / Deliberative Process / Ex. 5

We can all talk about this next week at the meeting Lisa set up.

Also, I think before we get too much further into this issue we need to see the draft permit mod from Rich at DEQ so that we can be sure we are evaluating the right technology. At this point I don't understand the detailed differences between the ORU-1 and ORU-2. But I know they are separate units and we should be focusing entirely on the new ORU-2 because the ORU-1 will be going away.

Janette

---

**From:** Valdez, Heather

**Sent:** Monday, March 27, 2017 12:50 PM

**To:** Tim Oliver <[Timothy.Oliver@akana.us](mailto:Timothy.Oliver@akana.us)>; Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>

**Subject:** RE: Air and RCRA Relationship - Internal Deliberative

# Attorney Client / Deliberative Process / Ex. 5

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
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1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101

(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Tim Oliver [<mailto:Timothy.Oliver@akana.us>]  
**Sent:** Monday, March 27, 2017 10:40 AM  
**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>  
**Subject:** RE: Air and RCRA Relationship - Internal Deliberative

**Personal Privacy / Ex. 6** It will probably next Monday/Tuesday before I can really get in to this and give you a proper response.

---

**From:** Valdez, Heather [<mailto:Valdez.Heather@epa.gov>]  
**Sent:** Thursday, March 23, 2017 1:51 PM  
**To:** Davies, Lynne; Tim Oliver; Obbink, Elizabeth [USA]  
**Cc:** Knittel, Janette  
**Subject:** Air and RCRA Relationship - Internal Deliberative

Internal Deliberative

Hi Lynne and Janette, so I also have contractor support that I can access to help think about this question. The contractor whom I am working with on combustion type questions has looked at this facility in the past too. So that is great.

Hi Libby, I need to give Tim another task, this is for a different facility, Chem Waste in OR. I need his review and feedback on the questions I have put together below.

**Attorney Client / Deliberative Process / Ex. 5**

# **Attorney Client / Deliberative Process / Ex. 5**

# Attorney Client / Deliberative Process / Ex. 5

Eager to hear others thoughts about this.

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



Message

**From:** Knittel, Janette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A955F914E8D34CB19B6F63AC60707D32-KNITTEL, JANETTE]  
**Sent:** 4/5/2017 3:38:17 PM  
**To:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]  
**Subject:** RE: My desorber w/afterburner applicability notes

OK, thanks for pointing that out.  
-Janette

---

**From:** Valdez, Heather  
**Sent:** Wednesday, April 05, 2017 8:14 AM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Subject:** RE: My desorber w/afterburner applicability notes

## Attorney Client / Deliberative Process / Ex. 5

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
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1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Knittel, Janette  
**Sent:** Tuesday, April 04, 2017 3:03 PM  
**To:** Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>; McArthur, Lisa <[McArthur.Lisa@epa.gov](mailto:McArthur.Lisa@epa.gov)>  
**Subject:** RE: My desorber w/afterburner applicability notes

## Attorney Client / Deliberative Process / Ex. 5

-Janette

---

**From:** Valdez, Heather

**Sent:** Tuesday, April 04, 2017 2:21 PM

**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>

**Subject:** My desorber w/afterburner applicability notes

Here are my notes and the 2014 letter I found from Linda

---

Heather Valdez

RCRA Project Manager, Chemical Engineer

RCRA Corrective Actions, Permits and PCBs Unit

Office of Air and Waste

EPA Region 10

1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101

(206) 553-6220

[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



Message

**From:** Davies, Lynne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=169EB6CBDEBB4CAF85F76390B8AB2674-LDAVIE12]  
**Sent:** 4/7/2017 7:57:10 PM  
**To:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Subject:** RE: Chem Waste ORU RCRA/Air issues

That works for me – and yes, we will keep this internal. See you on Monday!

---

**From:** Knittel, Janette  
**Sent:** Friday, April 7, 2017 10:26 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** RE: Chem Waste ORU RCRA/Air issues

Yes, please share it with him and discuss with whomever. I trust your judgement. Just keep in mind

Attorney Client / Deliberative Process / Ex. 5

**Attorney Client / Deliberative Process / Ex. 5**

Sure, 9 am works. I'd rather not send an invite. I can come to your office, 11<sup>th</sup> floor?

---

**From:** Davies, Lynne  
**Sent:** Friday, April 07, 2017 9:53 AM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** RE: Chem Waste ORU RCRA/Air issues

Same for me. I just spoke with Jennifer Parker. Would you mind if I sent the design specs to Kevin Schanilec today, too?

**Attorney Client / Deliberative Process / Ex. 5**

**Attorney Client / Deliberative Process / Ex. 5**

Attorney Client / Deliberative Process / Ex. 5

Do you want to meet at 9 on Monday?

---

**From:** Knittel, Janette  
**Sent:** Friday, April 7, 2017 9:50 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** RE: Chem Waste ORU RCRA/Air issues

Hi. John accepted and Shirin declined. I haven't had a chance to look into the emails and Heather's paper yet but I hope to today. It might be helpful to chat before our meeting on Monday.

-Janette

-----Original Appointment-----

**From:** Davies, Lynne  
**Sent:** Friday, April 07, 2017 9:25 AM  
**To:** Knittel, Janette  
**Subject:** Accepted: Chem Waste ORU RCRA/Air issues  
**When:** Monday, April 10, 2017 10:30 AM-11:30 AM (UTC-08:00) Pacific Time (US & Canada).  
**Where:** R10Sea-Room-15Birch/R10-Rooms-Service-Center; R10Sea-ConfLineMM

Personal Privacy / Ex. 6

Message

**From:** Davies, Lynne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=169EB6CBDEBB4CAF85F76390B8AB2674-LDAVIE12]  
**Sent:** 4/10/2017 10:51:18 PM  
**To:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Vergeront, Julie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=99966bfa656f4d7c85b4b370f8b33c0e-Vergeront, Julie]; McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]  
**Subject:** RE: Chem Waste: Draft Email to HQ (Marcia Mia)

Thanks, Janette and Heather! I spoke to Julie V and she requested that we include all of the RCRA and air folks in HQ on the same email – you'll see in the email I just sent that I included Marcia, Laura and Tom. I can send a follow-up email with a list of documents that Heather found that might be helpful and I'll include the links.

Best,  
Lynne

---

**From:** Knittel, Janette  
**Sent:** Monday, April 10, 2017 2:28 PM  
**To:** Valdez, Heather <Valdez.Heather@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; Vergeront, Julie <Vergeront.Julie@epa.gov>; McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Subject:** RE: Chem Waste: Draft Email to HQ (Marcia Mia)

## Attorney Client / Deliberative Process / Ex. 5

I'm fine with Heather adding her name. I don't have any other comments on the email. Thank you for pulling this together.

Janette

---

**From:** Valdez, Heather  
**Sent:** Monday, April 10, 2017 2:02 PM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Vergeront, Julie <Vergeront.Julie@epa.gov>; McArthur, Lisa <McArthur.Lisa@epa.gov>  
**Subject:** RE: Chem Waste: Draft Email to HQ (Marcia Mia)

Thanks Lynne,

## Attorney Client / Deliberative Process / Ex. 5



# Attorney Client / Deliberative Process / Ex. 5

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Davies, Lynne  
**Sent:** Monday, April 10, 2017 1:22 PM  
**To:** Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Vergeront, Julie <[Vergeront.Julie@epa.gov](mailto:Vergeront.Julie@epa.gov)>; McArthur, Lisa <[McArthur.Lisa@epa.gov](mailto:McArthur.Lisa@epa.gov)>  
**Subject:** Chem Waste: Draft Email to HQ (Marcia Mia)

Hi All – please see the below email that I will send to Marcia Mia in HQ. Let me know if you have any edits or concerns. I don't want to overload anyone with documents, but thought these memos and the standalone doc #22 were appropriate.

Many thanks!  
Lynne

---

Hi Marcia,

# **Deliberative & Attorney Client / Ex. 5**

Many thanks for your help! Please let me know if you'd like to discuss anything, and I can pull in the right folks.

Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

Message

**From:** Valdez, Heather [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EB323347294D44009A369C3576798BDF-VALDEZ, HEATHER]  
**Sent:** 4/10/2017 8:24:36 PM  
**To:** Vergeront, Julie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=99966bfa656f4d7c85b4b370f8b33c0e-Vergeront, Julie]  
**CC:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Subject:** FW: ChemWaste: RCRA Subpart CC/CAA Overlap  
**Attachment**

## Attorney Client / Deliberative Process / Ex. 5

Hi Julie,

### Attorney Client / Deliberative Process / Ex. 5

## Attorney Client / Deliberative Process / Ex. 5

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



**From:** Valdez, Heather  
**Sent:** Monday, April 10, 2017 10:31 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; McArthur, Lisa <McArthur.Lisa@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; John Pavitt <Pavitt.John@epa.gov>; Schanilec, Kevin <Schanilec.Kevin@epa.gov>  
**Subject:** RE: ChemWaste: RCRA Subpart CC/CAA Overlap

Thanks Lynne

### Attorney Client / Deliberative Process / Ex. 5

## Attorney Client / Deliberative Process / Ex. 5

# Attorney Client / Deliberative Process / Ex. 5

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Heather Valdez  
RCRA Project Manager, Chemical Engineer  
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Office of Air and Waste  
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1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
[valdez.heather@epa.gov](mailto:valdez.heather@epa.gov)



---

**From:** Davies, Lynne  
**Sent:** Monday, April 10, 2017 10:19 AM  
**To:** McArthur, Lisa <[McArthur.Lisa@epa.gov](mailto:McArthur.Lisa@epa.gov)>; Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>  
**Subject:** ChemWaste: RCRA Subpart CC/CAA Overlap

## Attorney Client / Deliberative Process / Ex. 5

Thanks!

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

Message

**From:** Davies, Lynne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=169EB6CBDEBB4CAF85F76390B8AB2674-LDAVIE12]  
**Sent:** 4/11/2017 9:26:23 PM  
**To:** McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]; Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; Vergeront, Julie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=99966bfa656f4d7c85b4b370f8b33c0e-Vergeront, Julie]  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability  
**Attachments:** SA 22 Draft Clean Highlighted.docx

All – this is just Tom Martin’s (Region 5) preliminary thoughts that Laura shared with me.

Attorney Client / Deliberative Process / Ex. 5

## Attorney Client / Deliberative Process / Ex. 5

**From:** Martin, Thomas  
**Sent:** Tuesday, April 11, 2017 3:19 PM  
**To:** Welles, Laura <Welles.Laura@epa.gov>  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

**From:** Davies, Lynne  
**Sent:** Monday, April 10, 2017 5:48 PM  
**To:** Mia, Marcia <Mia.Marcia@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Martin, Thomas <martin.thomas@epa.gov>  
**Cc:** McArthur, Lisa <McArthur.Lisa@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>; Vergeront, Julie <Vergeront.Julie@epa.gov>; Pavitt, John <Pavitt.John@epa.gov>  
**Subject:** Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Marcia, Laura, and Tom -

## **Attorney Client / Deliberative Process / Ex. 5**

Many thanks for your help! Please let me know if you'd like to discuss anything, and I can schedule a call with our Region 10 folks.

Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

Message

**From:** Davies, Lynne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=169EB6CBDEBB4CAF85F76390B8AB2674-LDAVIE12]  
**Sent:** 4/12/2017 7:17:34 PM  
**To:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]; Vergeront, Julie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=99966bfa656f4d7c85b4b370f8b33c0e-Vergeront, Julie]  
**Subject:** FW: RCRA permit re: AA, BB, CC  
**Attachments:** Example of RCRA Permit for OAES overlap with equivalent CAA Subparts.docx; DH comments on Giant Title V permit (6-8-2006).pdf

FYI – Laura worked with Denise from Region 4, who sent us example permit language and her comments on the  
**Attorney Client / Deliberative Process / Ex. 5** Please also see her email below.  
Thanks!

---

**From:** Welles, Laura  
**Sent:** Wednesday, April 12, 2017 7:22 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** FW: RCRA permit re: AA, BB, CC

Lynne – I'm forwarding you this email from Denise Housley (R4) because I think it may be helpful to you. During one of

## **Attorney Client / Deliberative Process / Ex. 5**

---

**From:** Housley, Denise  
**Sent:** Monday, April 10, 2017 10:46 AM  
**To:** Welles, Laura <Welles.Laura@epa.gov>  
**Subject:** RE: RCRA permit re: AA, BB, CC

Hi Laura,

## **Attorney Client / Deliberative Process / Ex. 5**



# Attorney Client / Deliberative Process / Ex. 5

Regards,

Denise

---

**From:** Welles, Laura  
**Sent:** Friday, April 07, 2017 9:53 AM  
**To:** Housley, Denise <[Housley.Denise@epa.gov](mailto:Housley.Denise@epa.gov)>  
**Cc:** Colon, Lilybeth <[Colon.Lilybeth@epa.gov](mailto:Colon.Lilybeth@epa.gov)>  
**Subject:** RCRA permit re: AA, BB, CC

Hi Denise,

Thank you for all the information you provided last week on the Permit Integrity Team call re: AA, BB, and CC.

## Attorney Client / Deliberative Process / Ex. 5

**Attorney Client / Deliberative Process / Ex. 5**  
a copy of the RCRA permit?

Would it be possible for you to email me

Thanks,  
Laura

Laura Welles  
Attorney Advisor  
Waste and Chemical Enforcement Division  
Office of Civil Enforcement  
U.S. Environmental Protection Agency  
(202) 564-2754

Message

**From:** Davies, Lynne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=169EB6CBDEBB4CAF85F76390B8AB2674-LDAVIE12]  
**Sent:** 4/13/2017 9:47:57 PM  
**To:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**CC:** McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]; Vergeront, Julie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=99966bfa656f4d7c85b4b370f8b33c0e-Vergeront, Julie]  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

**From:** Welles, Laura  
**Sent:** Thursday, April 13, 2017 2:22 PM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

FYI – Lilybeth is checking with Mike Galbraith in ORCR.

**From:** Colon, Lilybeth  
**Sent:** Thursday, April 13, 2017 8:09 AM  
**To:** Welles, Laura <Welles.Laura@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Mike Galbraith has expertise in Attorney Client / Deliberative Process / Ex. 5 I'll speak with him to find out about his availability.

Lilybeth

**From:** Welles, Laura  
**Sent:** Wednesday, April 12, 2017 5:03 PM  
**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

**From:** Welles, Laura  
**Sent:** Wednesday, April 12, 2017 4:07 PM  
**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>  
**Cc:** Crossland, Andy <Crossland.Andy@epa.gov>  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

**From:** Martin, Thomas

**Sent:** Wednesday, April 12, 2017 4:01 PM

**To:** Davies, Lynne <[Davies.Lynne@epa.gov](mailto:Davies.Lynne@epa.gov)>; Welles, Laura <[Welles.Laura@epa.gov](mailto:Welles.Laura@epa.gov)>; Ogulei, David <[Ogulei.David@epa.gov](mailto:Ogulei.David@epa.gov)>

**Cc:** Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>

**Subject:** Fw: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

---

**From:** Ogulei, David

**Sent:** Wednesday, April 12, 2017 9:09 AM

**To:** Martin, Thomas

**Cc:** Blough, James; Westefer, Gary

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Tom –

## Attorney Client / Deliberative Process / Ex. 5

David

---

**From:** Martin, Thomas

**Sent:** Tuesday, April 11, 2017 1:02 PM

**To:** Ogulei, David <[Ogulei.David@epa.gov](mailto:Ogulei.David@epa.gov)>; Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary

<westefer.gary@epa.gov>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

All-I've taken a longer look at Region 10's question

**Attorney Client / Deliberative Process / Ex. 5**

## Attorney Client / Deliberative Process / Ex. 5

---

**From:** Martin, Thomas

**Sent:** Tuesday, April 11, 2017 10:53 AM

**To:** Ogulei, David <Ogulei.David@epa.gov>

**Cc:** Blough, James <Blough.James@epa.gov>; Westefer, Gary <westefer.gary@epa.gov>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Jim's initial response. By way of background, this is a group question from Region 10, and I somehow got on the list of responders. The questions mainly seem to be technical in nature, and I appreciate all of your input. Thanks again, Tom

---

**From:** Blough, James

**Sent:** Tuesday, April 11, 2017 9:34 AM

**To:** Martin, Thomas <martin.thomas@epa.gov>; Westefer, Gary <westefer.gary@epa.gov>

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

I think you should ask dave as well.

Gary

Give me a call I have some ideas on this.

## Attorney Client / Deliberative Process / Ex. 5

---

**From:** Martin, Thomas

**Sent:** Monday, April 10, 2017 6:06 PM

**To:** Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Any thoughts?

---

**From:** Davies, Lynne

**Sent:** Monday, April 10, 2017 5:48 PM

**To:** Mia, Marcia <[Mia.Marcia@epa.gov](mailto:Mia.Marcia@epa.gov)>; Welles, Laura <[Welles.Laura@epa.gov](mailto:Welles.Laura@epa.gov)>; Martin, Thomas <[martin.thomas@epa.gov](mailto:martin.thomas@epa.gov)>

**Cc:** McArthur, Lisa <[McArthur.Lisa@epa.gov](mailto:McArthur.Lisa@epa.gov)>; Knittel, Janette <[Knittel.Janette@epa.gov](mailto:Knittel.Janette@epa.gov)>; Valdez, Heather <[Valdez.Heather@epa.gov](mailto:Valdez.Heather@epa.gov)>; Vergeront, Julie <[Vergeront.Julie@epa.gov](mailto:Vergeront.Julie@epa.gov)>; Pavitt, John <[Pavitt.John@epa.gov](mailto:Pavitt.John@epa.gov)>

**Subject:** Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Marcia, Laura, and Tom -

Region 10 folks are wondering whether you could help us determine

**Attorney Client / Deliberative Process / Ex. 5**

## Attorney Client / Deliberative Process / Ex. 5

## **Attorney Client / Deliberative Process / Ex. 5**

Many thanks for your help! Please let me know if you'd like to discuss anything, and I can schedule a call with our Region 10 folks.

Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556



Message

**From:** Schanilec, Kevin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=299DEF84406741BCADB7BCD97CFE69A8-SCHANILEC, KEVIN]  
**Sent:** 4/13/2017 4:14:03 PM  
**To:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Subject:** RE: ChemWaste; Attorney Client / Deliberative Process / Ex. 5  
**Attachments:** 14819.pdf

Hi!

## Attorney Client / Deliberative Process / Ex. 5

Kevin

Kevin Schanilec  
Senior Enforcement Engineer  
EPA Region 10 (OCE-101)  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101  
206-553-1061

-----Original Message-----

**From:** Valdez, Heather  
**Sent:** Monday, April 10, 2017 7:35 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Schanilec, Kevin <Schanilec.Kevin@epa.gov>  
**Subject:** RE: ChemWaste; Attorney Client / Deliberative Process / Ex. 5

## Attorney Client / Deliberative Process / Ex. 5

Thanks!

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit Office of Air and Waste EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
valdez.heather@epa.gov

-----Original Message-----

**From:** Davies, Lynne  
**Sent:** Friday, April 07, 2017 1:35 PM  
**To:** Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>  
**Subject:** FW: ChemWaste; Attorney Client / Deliberative Process / Ex. 5

## Attorney Client / Deliberative Process / Ex. 5

Best,  
Lynne

-----Original Message-----

**From:** Schanilec, Kevin  
**Sent:** Friday, April 7, 2017 11:14 AM



To: Davies, Lynne <Davies.Lynne@epa.gov>  
Subject: RE: ChemWaste: Attorney Client / Deliberative Process / Ex. 5

Hi Lynne:

## **Attorney Client / Deliberative Process / Ex. 5**

Kevin  
(206) 553-5556

Message

**From:** Schanilec, Kevin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=299DEF84406741BCADB7BCD97CFE69A8-SCHANILEC, KEVIN]  
**Sent:** 4/13/2017 5:47:23 PM  
**To:** Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Subject:** RE: ChemWaste: Attorney Client / Deliberative Process / Ex. 5  
**Attachments:** 14266.pdf

Hi Heather:

## Attorney Client / Deliberative Process / Ex. 5

Thanks - Kevin

Kevin Schanilec  
Senior Enforcement Engineer  
EPA Region 10 (OCE-101)  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101  
206-553-1061

-----Original Message-----

**From:** Valdez, Heather  
**Sent:** Thursday, April 13, 2017 10:11 AM  
**To:** Schanilec, Kevin <Schanilec.Kevin@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** RE: ChemWaste: Attorney Client / Deliberative Process / Ex. 5

## Attorney Client / Deliberative Process / Ex. 5

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit Office of Air and Waste EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
valdez.heather@epa.gov

-----Original Message-----

**From:** Schanilec, Kevin  
**Sent:** Thursday, April 13, 2017 9:14 AM

To: Valdez, Heather <Valdez.Heather@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
Subject: RE: ChemWaste: Attorney Client / Deliberative Process / Ex. 5

Hi!

## Attorney Client / Deliberative Process / Ex. 5

Kevin

Kevin Schanilec  
Senior Enforcement Engineer  
EPA Region 10 (OCE-101)  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101  
206-553-1061

-----Original Message-----

From: Valdez, Heather  
Sent: Monday, April 10, 2017 7:35 AM  
To: Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Schanilec, Kevin <Schanilec.Kevin@epa.gov>  
Subject: RE: ChemWaste: Attorney Client / Deliberative Process / Ex. 5

## Attorney Client / Deliberative Process / Ex. 5

Thanks!

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit Office of Air and Waste EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
valdez.heather@epa.gov

-----Original Message-----

From: Davies, Lynne  
Sent: Friday, April 07, 2017 1:35 PM  
To: Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>  
Subject: FW: ChemWaste: Attorney Client / Deliberative Process / Ex. 5

## Attorney Client / Deliberative Process / Ex. 5

Best,  
Lynne

-----Original Message-----

From: Schanilec, Kevin  
Sent: Friday, April 7, 2017 11:14 AM  
To: Davies, Lynne <Davies.Lynne@epa.gov>  
Subject: RE: ChemWaste: Attorney Client / Deliberative Process / Ex. 5

Hi Lynne:

## Attorney Client / Deliberative Process / Ex. 5

Kevin  
(206) 553-5556

Message

**From:** Valdez, Heather [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EB323347294D44009A369C3576798BDF-VALDEZ, HEATHER]  
**Sent:** 4/13/2017 7:03:09 PM  
**To:** Schanilec, Kevin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=299def84406741bcd97cfe69a8-Schanilec, Kevin]; Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]; Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Subject:** RE: ChemWaste [Attorney Client / Deliberative Process / Ex. 5]

Exactly, Kevin.

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit  
Office of Air and Waste  
EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
valdez.heather@epa.gov

---

-----Original Message-----

**From:** Schanilec, Kevin  
**Sent:** Thursday, April 13, 2017 10:47 AM  
**To:** Valdez, Heather <Valdez.Heather@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** RE: ChemWaste [Attorney Client / Deliberative Process / Ex. 5]

Hi Heather:

**Attorney Client / Deliberative Process / Ex. 5**

Thanks - Kevin

Kevin Schanilec  
Senior Enforcement Engineer  
EPA Region 10 (OCE-101)  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101  
206-553-1061

-----Original Message-----

**From:** Valdez, Heather  
**Sent:** Thursday, April 13, 2017 10:11 AM  
**To:** Schanilec, Kevin <Schanilec.Kevin@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
**Subject:** RE: ChemWaste [Attorney Client / Deliberative Process / Ex. 5]

**Attorney Client / Deliberative Process / Ex. 5**

# Attorney Client / Deliberative Process / Ex. 5

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit Office of Air and Waste EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
valdez.heather@epa.gov

---

-----Original Message-----

From: Schanilec, Kevin  
Sent: Thursday, April 13, 2017 9:14 AM  
To: Valdez, Heather <Valdez.Heather@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>  
Subject: RE: ChemWaste: Attorney Client / Deliberative Process / Ex. 5

Hi!

## Attorney Client / Deliberative Process / Ex. 5

Kevin

Kevin Schanilec  
Senior Enforcement Engineer  
EPA Region 10 (OCE-101)  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101  
206-553-1061

---

-----Original Message-----

From: Valdez, Heather  
Sent: Monday, April 10, 2017 7:35 AM  
To: Davies, Lynne <Davies.Lynne@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Schanilec, Kevin <Schanilec.Kevin@epa.gov>  
Subject: RE: ChemWaste: Attorney Client / Deliberative Process / Ex. 5

## Attorney Client / Deliberative Process / Ex. 5

Thanks!

---

Heather Valdez  
RCRA Project Manager, Chemical Engineer  
RCRA Corrective Actions, Permits and PCBs Unit Office of Air and Waste EPA Region 10  
1200 6th Ave, Suite 900, AWT-150, Seattle, WA 98101  
(206) 553-6220  
valdez.heather@epa.gov

---

-----Original Message-----

From: Davies, Lynne  
Sent: Friday, April 07, 2017 1:35 PM  
To: Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>  
Subject: FW: ChemWaste: Attorney Client / Deliberative Process / Ex. 5

## Attorney Client / Deliberative Process / Ex. 5

Best,

Lynne

-----Original Message-----

From: Schanilec, Kevin

Sent: Friday, April 7, 2017 11:14 AM

To: Davies, Lynne <Davies.Lynne@epa.gov>

Subject: RE: ChemWaste: Incinerator?

Hi Lynne:

## **Attorney Client / Deliberative Process / Ex. 5**

Kevin

(206) 553-5556

Message

---

**From:** Davies, Lynne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=169EB6CBDEBB4CAF85F76390B8AB2674-LDAVIE12]  
**Sent:** 4/20/2017 3:44:02 PM  
**To:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]; Valdez, Heather [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eb323347294d44009a369c3576798bdf-Valdez, Heather]  
**CC:** McArthur, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=524660efbdb140e7868646d8073f0c72-McArthur, Lisa]  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

Best,  
Lynne

---

**From:** Welles, Laura  
**Sent:** Thursday, April 20, 2017 7:13 AM  
**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>  
**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>; Galbraith, Michael <Galbraith.Michael@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Thanks Lilybeth.

Lynne – are you and others in Region 10 available for a call tomorrow (4/21). If so, let us know some times you are available.

Thanks,  
Laura

Laura Welles  
Attorney Advisor  
Waste and Chemical Enforcement Division  
Office of Civil Enforcement  
U.S. Environmental Protection Agency  
(202) 564-2754

---

**From:** Colon, Lilybeth  
**Sent:** Thursday, April 20, 2017 9:38 AM  
**To:** Welles, Laura <Welles.Laura@epa.gov>  
**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>; Galbraith, Michael <Galbraith.Michael@epa.gov>; Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Laura,

I would prefer to schedule a separate call with Region 10. That way we can really devote time to it and decide whether/when involve the other teams. Mike and I are both available tomorrow. **Personal Privacy / Ex. 6** but I could participate on a call and share my notes with him. The other option would be for Mike and I to start discussing the issue and get back to you and R10 with thoughts and/or questions. Do you know what the R10 timeline is?

Lilybeth Colón  
T: 703-308-2392

---

**From:** Welles, Laura  
**Sent:** Monday, April 17, 2017 1:08 PM  
**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>  
**Cc:** Chang, Patrick <Chang.Patrick@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Lilybeth,

## Attorney Client / Deliberative Process / Ex. 5

Thanks,  
Laura

Laura Welles  
Attorney Advisor  
Waste and Chemical Enforcement Division  
Office of Civil Enforcement  
U.S. Environmental Protection Agency  
(202) 564-2754

---

**From:** Colon, Lilybeth  
**Sent:** Thursday, April 13, 2017 8:09 AM  
**To:** Welles, Laura <Welles.Laura@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Mike Galbraith has expertise in **Attorney Client / Deliberative Process / Ex. 5**. I'll speak with him to find out about his availability.

Lilybeth

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**From:** Welles, Laura  
**Sent:** Wednesday, April 12, 2017 5:03 PM  
**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>



**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

**From:** Welles, Laura

**Sent:** Wednesday, April 12, 2017 4:07 PM

**To:** Colon, Lilybeth <Colon.Lilybeth@epa.gov>; Chang, Patrick <Chang.Patrick@epa.gov>

**Cc:** Crossland, Andy <Crossland.Andy@epa.gov>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

FYI – this is more discussion on the R10 permit question. I think we should discuss the not so straight forward portion (see highlighted section and David Ogulei's response) next week (time permitting) when we discuss the R5 guidance.

**From:** Martin, Thomas

**Sent:** Wednesday, April 12, 2017 4:01 PM

**To:** Davies, Lynne <Davies.Lynne@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Ogulei, David <Ogulei.David@epa.gov>

**Cc:** Blough, James <Blough.James@epa.gov>; Westefer, Gary <westefer.gary@epa.gov>

**Subject:** Fw: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

## Attorney Client / Deliberative Process / Ex. 5

**From:** Ogulei, David

**Sent:** Wednesday, April 12, 2017 9:09 AM

**To:** Martin, Thomas

**Cc:** Blough, James; Westefer, Gary

**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Tom –

## Attorney Client / Deliberative Process / Ex. 5

# Attorney Client / Deliberative Process / Ex. 5

David

**From:** Martin, Thomas

**Sent:** Tuesday, April 11, 2017 1:02 PM

**To:** Ogulei, David <[Ogulei.David@epa.gov](mailto:Ogulei.David@epa.gov)>; Blough, James <[Blough.James@epa.gov](mailto:Blough.James@epa.gov)>; Westefer, Gary <[westefer.gary@epa.gov](mailto:westefer.gary@epa.gov)>

**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

All-I've taken a longer look at Region 10's questio

**Attorney Client / Deliberative Process / Ex. 5**

# Attorney Client / Deliberative Process / Ex. 5

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**From:** Martin, Thomas  
**Sent:** Tuesday, April 11, 2017 10:53 AM  
**To:** Ogulei, David <Ogulei.David@epa.gov>  
**Cc:** Blough, James <Blough.James@epa.gov>; Westefer, Gary <westefer.gary@epa.gov>  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Jim's initial response. By way of background, this is a group question from Region 10, and I somehow got on the list of responders. The questions mainly seem to be technical in nature, and I appreciate all of your input. Thanks again, Tom

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**From:** Blough, James  
**Sent:** Tuesday, April 11, 2017 9:34 AM  
**To:** Martin, Thomas <martin.thomas@epa.gov>; Westefer, Gary <westefer.gary@epa.gov>  
**Subject:** RE: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

I think you should ask dave as well.

Gary

Give me a call I have some ideas on this.

## Attorney Client / Deliberative Process / Ex. 5

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**From:** Martin, Thomas  
**Sent:** Monday, April 10, 2017 6:06 PM  
**To:** Blough, James <Blough.James@epa.gov>; Westefer, Gary <westefer.gary@epa.gov>  
**Subject:** FW: Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Any thoughts?

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**From:** Davies, Lynne  
**Sent:** Monday, April 10, 2017 5:48 PM  
**To:** Mia, Marcia <Mia.Marcia@epa.gov>; Welles, Laura <Welles.Laura@epa.gov>; Martin, Thomas <martin.thomas@epa.gov>  
**Cc:** McArthur, Lisa <McArthur.Lisa@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Valdez, Heather

<Valdez.Heather@epa.gov>; Vergeront, Julie <Vergeront.Julie@epa.gov>; Pavitt, John <Pavitt.John@epa.gov>

**Subject:** Region 10 Request for Assistance: Chem Waste Organic Recovery Unit/ RCRA Part 264 Subpart CC Applicability

Hi Marcia, Laura, and Tom -

Region 10 folks are wondering whether you could help us determine

**Attorney Client / Deliberative Process / Ex. 5**

**Attorney Client / Deliberative Process / Ex. 5**

Many thanks for your help! Please let me know if you'd like to discuss anything, and I can schedule a call with our Region 10 folks.

Lynne

Lynne Davies  
Attorney-Advisor  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, ORC -113  
Seattle, WA 98101  
(206) 553-5556

Message

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**From:** Davies, Lynne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=169EB6CBDEBB4CAF85F76390B8AB2674-LDAVIE12]  
**Sent:** 4/20/2017 6:56:30 PM  
**To:** Knittel, Janette [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a955f914e8d34cb19b6f63ac60707d32-Knittel, Janette]  
**Subject:** FW: subpart CC -- RCRA/CAA

## Attorney Client / Deliberative Process / Ex. 5

I'm trying to get a conference line for a call starting tomorrow morning at 8:30 am pacific time with the HQ folks. That way, we can meet with Lisa afterwards and update her on the call.

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**From:** Welles, Laura  
**Sent:** Thursday, April 20, 2017 10:53 AM  
**To:** Davies, Lynne <Davies.Lynne@epa.gov>  
**Subject:** subpart CC -- RCRA/CAA

Lynne,

## Attorney Client / Deliberative Process / Ex. 5

# **Attorney Client / Deliberative Process / Ex. 5**

I hope you have a good afternoon!

Laura

Laura Welles  
Attorney Advisor  
Waste and Chemical Enforcement Division  
Office of Civil Enforcement  
U.S. Environmental Protection Agency  
(202) 564-2754

Message

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**From:** Knittel, Janette [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A955F914E8D34CB19B6F63AC60707D32-KNITTEL, JANETTE]  
**Sent:** 4/20/2017 5:13:17 PM  
**To:** Davies, Lynne [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=169eb6cbdebb4caf85f76390b8ab2674-LDavie12]  
**Subject:** FW: ORCR RCRA Permit Integrity Team Meeting Notes  
**Attachments:** Meeting Notes from 3.28.17 mtg.docx; Copy of PIT\_Issue\_Tracking.xlsm

Hi Lynne. I'm not sure if I forwarded this to you yet, sorry if this is a repeat...

-Janette

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**From:** Olson, Lisa  
**Sent:** Tuesday, April 11, 2017 7:55 AM  
**To:** Castrilli, Laura <Castrilli.Laura@epa.gov>; McArthur, Lisa <McArthur.Lisa@epa.gov>; Bartus, Dave <Bartus.Dave@epa.gov>; Blankenship, Melissa <Blankenship.Melissa@epa.gov>; Hedeem, Roberta <Hedeem.Roberta@epa.gov>; Knittel, Janette <Knittel.Janette@epa.gov>; Macduff, Sean <macduff.sean@epa.gov>; Mullin, Michelle <Mullin.Michelle@epa.gov>; Palumbo, Janice <Palumbo.Jan@epa.gov>; Valdez, Heather <Valdez.Heather@epa.gov>  
**Subject:** ORCR RCRA Permit Integrity Team Meeting Notes

Hi everyone,

**Attorney Client / Deliberative Process / Ex. 5**



# Attorney Client / Deliberative Process / Ex. 5

Thanks –

Lisa

*Lisa Olson*

US EPA Region 10, Office of Air and Waste

1200 Sixth Avenue, M/S: AWT-150

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Desk: 206-553-0176

Cell: 206-321-2767